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Thomas Coleman
Settler-Rival Records of
Great Falls Flood-
Claim [illegible]

Bought [illegible]
at Auction Sale of
J. C. Sales Property
by S. Cohen Co.

(Gould)
Gould
AN

MEMORIAL

OF

JUDGE GEORGE GOULD.

[By Sarah McCoun (Vail) Gould.]

TROY, N. Y.:
WM. H. YOUNG & BLAKE.
1871.

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There remaineth a rest for the people of God

A

LOVING WIFE'S

Tribute

TO THE MEMORY

OF A

NOBLE AND BELOVED

HUSBAND.

CONTENTS.

	Page.
Memoir,	1
Tribute by Judge Harris,	16
Proceedings of the Bar,	27
Address of Judge Francis N. Mann,	32
Judge Cheever,	39
Mr. Wm. A. Beach,	43
Daniel Marvin, Jr.,	51
A. D. Lyon,	59
B. H. Hall,	67
Judge Romeyn,	73
Mr. R. M. Townsend,	77
Harvey J. King,	83
R. A. Parmenter,	89
E. L. Cole,	95
Irving Hayner,	103
Judge Ingalls,	107
Tribute of Dr. E. N. Potter,	113

Page.

Proceedings of The Irving Club, ... 121

Rensselaer Polytechnic Institute, 125

Obituary Notices:

The Troy Daily Times, ... 131

The Troy Daily Press, ... 140

The College Courant (Yale), James M. Hoppin, 149

The Churchman, (Rev. E. D. Cooper), . . 153

The Church Journal (Rev. G. Worthington), 157

The British and American News, . . . 160

The Home Journal, ... 163

The Rutland Herald, ... 165

The Buffalo Commercial, ... 166

Jet and Silver, ... 168

Collect, ... 169

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Geo. Gould

"ITAQUE II MIHI VIDENTUR FORTUNATE BEATEQUE VIXISSE CUM IN CETERIS CIVITATIBUS TUM MAXIME IN NOSTRA, QUIBUS CUM AUCTORITATE RERUMQUE GESTARUM GLORIA TUM ETIAM SAPIENTIÆ LAUDE PERFRUI LICUIT. QUORUM MEMORIA ET RECORDATIO IN MAXIMIS NOSTRIS GRAVISSIMISQUE CURIS JUCUNDA SANE FUIT."—*Cicero. De Claris Oratoribus*, B. II.

MEMOIR.

MEMOIR.

The Hon. GEORGE GOULD was born at Litchfield, in the state of Connecticut, on the 2d of September, 1807.

He was the fifth son of JUDGE JAMES GOULD.

His genealogy shows an unbroken succession of educated gentlemen, in both the paternal and maternal branches; and in the former he stood in but the third remove from his English ancestors; whose descendants (of the junior branch), are still extant in England, and one of whom is in actual occupancy of the ancient family estate of *Pridhams-Leigh*, in Devonshire; acquired by inheritance from the first Lord Ashburton, who, having married into the family, repurchased the estate from the Crown, after its escheat (in default of male heirs of entail), about the close of the last century.

His great-grandfather, Doctor WILLIAM GOULD, was born in North-Tawton, Devonshire, England, in 1693. He emigrated to this country in 1720, and took up his residence in Branford, Connecticut. His grandfather, Doctor WILLIAM GOULD, the younger, was born in

Branford, in 1727, and his father, Judge JAMES GOULD, was born in Branford, in 1770.

His father's sister, ELIZABETH GOULD, was the wife of the Hon. ROGER MINOTT SHERMAN, and his mother (SALLY MCCURDY TRACY), was the eldest of four sisters who were severally married to the Hon. JAMES GOULD, judge of the Supreme Court of Connecticut, the Hon. SAMUEL G. HOWE, and the Hon. THERON METCALFE, judges of the Supreme Court of Massachusetts, and the Hon. SILAS W. ROBBINS, judge of the Supreme Court of Kentucky; while his eldest brother, the Hon. WILLIAM TRACY GOULD, became a judge in the state of Georgia, and he himself a judge of the Supreme Court of New York.

On the maternal side, his great-grandfather was ELIPHALET TRACY, of Norwich, Connecticut; and his grandfather was General URIAH TRACY, for ten years a senator of the United States from Connecticut, who died at Washington in 1807, and was the first person interred in the Congressional burial-ground at the national Capital.

General TRACY was one of the prominent men of the country, at a time when great men were the rule and not the exception, and when, consequently, distinction was attained only by talent of a high order. The style of his oratory, and his

position as a leader of the Anti-Gallican party, caused him to be popularly designated as "the BURKE of America." He was a statesmen and a wit; and a striking proof of the high estimation in which he was held, is the fact that, at an epoch when party spirit stood at fever heat, he was the *personal friend* of the dignitaries of both parties, although he was, himself, an uncompromising Federalist of the old school.

Judge Gould's father had few equals at the bar; and when he was associated, in important cases, with his justly eminent brother-in-law, Roger Minott Sherman, and opposed by such men as David Daggett and Nathan Smith, the legal tournament is said, by those who were so fortunate as to witness it, to have exceeded in brilliancy anything ever witnessed in the American courts.

In view of these facts, and of the additional and somewhat remarkable circumstance that two of his ancestors were judges of the Court of King's Bench in England (one of them on the bench with Blackstone), Judge George Gould may be said to have, as it were, *inherited* both education and law in a very unusual degree; and in respect of both he eminently upheld the family reputation.

He was remarkable for the elegance of his person and the combined dignity and grace of his manners, no

less than for his almost unrivalled legal accomplishments, the purity of his English and the perfection of his elocution.

Judge Gould entered Yale College in 1823 at the age of seventeen, and was graduated with distinction in 1827. He immediately entered upon the study of the law, under the teaching of his father; at whose celebrated Law school he was a student for two years. At the end of that period (i. e., in 1829), he removed to Troy, and was admitted to the bar in the following year (1830).

Among his associates and his classmates at Yale, were many who have attained high distinction in later life. Of these were the Rev. Drs. ADAMS and BUSHNELL, COURTLAND VAN RENSSELAER; Judges HOGEBOOM and HENRY P. EDWARDS, and N. P. WILLIS.

Litchfield acquired great celebrity in the early part of the present century, as the seat of the only Law school in the country and the only Seminary for Young Ladies, which had any national reputation. The former was instituted by Chief Justice REEVE and continued and rendered far more celebrated by Judge JAMES GOULD; and the latter was founded and conducted for forty years by Miss PIERCE, aided, latterly by Mr. JOHN P. BRACE. Pupils from every part of the country attended both these schools. Many of

our most accomplished ladies were educated by Miss Pierce, and a singularly large proportion of the public men and eminent lawyers of the generation now passing away received their legal education from JUDGE GOULD. These two schools created for Litchfield a highly intellectual atmosphere, and necessarily attracted, also, to that place many visitors of distinction, and many persons of social accomplishment and intellectual culture; while among the old residents were several families of more than ordinary note; as those of Colonel Benjamin Tallmadge, (one of Washington's aides-de-camp), the second Governor Wolcott, Frederic Wolcott, Chief Justice Reeve, Asa Bacon, Julius Deming, Judge Holmes, Dr. Sheldon, and the Rev. Lyman Beecher, the father of "the Beecher family," and himself for many years the "Apostle," of the Congregational and Presbyterian churches in this country.

While Judge Gould was studying law in Litchfield, the Rev. Dr. John Stone, (now of Boston, Mass.,) was rector of the Episcopal church there. Judge Gould greatly admired his preaching, and was a regular attendant at his church, and subsequently became an attached member of the Episcopal church in Troy.

As a child and a youth, Judge Gould was always noted for the same frank and courageous, yet singu-

larly gentle and affectionate disposition which characterized him in later life. He was remarkable, also, for a singularly powerful and retentive memory; and it may be mentioned that at the age of thirteen, he committed to memory and recited the whole of the first book of Pope's Iliad.

One of the chief incidents of his boyish life, was a narrow escape from drowning, when seven or eight years old; at which time he fell into a gigantic cistern, the trap door of which was accidentally left open in his father's kitchen, and into which his father plunged to rescue him; and it is somewhat singular that he escaped (perhaps, even more narrowly), from a danger of the same kind, at a late period of his life. His second immersion and escape took place under the following circumstances, and afforded an opportunity for the display of the remarkable courage and self-possession which always characterized him.

While holding court in Albany, he was, one day, stepping from the pier to the ferry boat, when a man coming in the opposite direction, and leaping hastily from the boat, struck against the Judge with such force as to knock him into the water. With singular presence of mind, the Judge kept his mouth closed and held his breath until he rose to the surface, and then, being quite unable to swim, he lay flat on his

back and floated calmly, until assistance came to him. The boat being shoved off into the stream, two men ran down, and one taking hold of the chains of the pier, the second took hold of the first and held out his leg to the Judge, and cried eagerly: — "Can you hold on to me?"

"I can hold on as long as you can," replied the Judge, quietly; and he did so, until a boat was put off, into which he was assisted. The bystanders said of this incident, that his coolness was remarkable, and that it alone saved his life.

As a young man, both at college and in Litchfield, Judge Gould was remarkable for strength and activity, and was exceedingly fond of athletic sports. Among the skaters in a region where boys may almost be said to be "born on skates," he was *facile princeps*,— foremost for grace and skill; and in the good old New England game of "*Wicket*" (a game requiring a great amount of activity, strength and courage), he had scarcely an equal on Litchfield green.[1]

---

[1] The present writer well remembers having an old Litchfield farmer, who was "on the green," at the close of a game of wicket, one "election day," when young Gould was "captain" of the winning side, and had displayed great prowess with both bat and ball, say to him: — "Ah! George, you make me think o' your Grand'ther Gineral Tracy! He used to ride over from Har'ford, Friday a'ternoons, when he was in the assembly: beat every body at Wicket o' Satur-

Judge Gould was married on the 10th of November, 1840, at Troy, N. Y., to SARAH MCCOUN VAIL, daughter of the Hon. GEORGE VAIL, then and now one of the most prominent citizens of that city, and a near relative of the Hon. AARON VAIL, who was successively Secretary of Legation and Charge d'Affaires in London, and Minister Plenipotentiary at Madrid; one of the rare instances, in our diplomatic service, where distinguished ability has overcome the principle of "rotation," and induced successive administrations to retain the services of the same person.

From the time of his admission to the bar, in Troy, in 1830, Mr. Gould continued to practice his profession with constantly increasing success and reputation, up to the moment of his elevation to the bench of the Supreme Court in 1855.

Although nominated for this judicial position by the party to which he belonged, the large vote by which he was elected was by no means a strictly party utterance, but rather an expression of the high estimation in which his professional ability and personal charac-

---

day, and *lead the singin'* in the meetin' house next day." It would appear, therefore, that the Judge's wicket-playing, like his graver accomplishments and talents, had come to him in some degree, by lawful inheritance; and the incident gives a curious illustration of the "primitive simplicity" of manners in New England, little more than half a century since.

ter were held, by men of all parties, in Rensselaer county.

Prior to this, however, he had occupied many positions of trust and authority; and in 1852 had been elected mayor of Troy; an office the duties of which he discharged with a rare degree of fidelity, energy and independence.

In addition to the public offices held by Judge Gould, he occupied many semi-public posts, and many positions of great trust. He was, for several years, a director of the old Farmer's Bank of Troy; and at his death was a director of the Merchants and Mechanics National Bank, and of the Troy Savings' Bank. He was successively Vice President and acting President of the Rensselaer Polytechnic Institute. He was, for a long time, Treasurer of the Troy and Boston Railroad Company, and for several years a delegate to the Diocesan Convention of the Protestant Episcopal Church.

In politics, he was a decided republican. During the war, there was no more devoted loyalist than he. He was a sincere and earnest patriot, in the truest and fullest sense of the word.

He was not only a political supporter, but a personal friend of HENRY CLAY; and was in familiar correspondence with that eminent statesman, up to the time of his death.

He could, however, never be induced to leave his profession for political life or official position, though often urged to do so; and he steadfastly refused many and frequent requests to accept a nomination for Congress.

He was gifted with a preëminently logical and judicial mind, and had therefore a natural fitness for the legal profession, which was ripened and augmented by study and experience; so that he displayed both at the bar, and on the bench, not only the most thorough knowledge of the practice of the law, but also that higher and more comprehensive knowledge of the *science* of jurisprudence which constitutes the veritable "jurist," a designation which, when fairly earned, is the most honorable that can be bestowed upon a lawyer.

His appearance and carriage were singularly striking and dignified, and lent a remarkable and appropriate grace to his bearing on the bench, while he had a natural ease and charm of manner, which exercised an irresistible attraction in general society.

One of his most striking characteristics was the remarkable cheerfulness and geniality of his disposition and temperament. In his own household, especially, he seemed almost literally, to shed a sort of sunshine around him; and he retained a freshness,

and so to speak, a youthfulness of feeling, in virtue of which he was not only the loving and watchful father of his children, but also their friend and companion. His affection and care for them were extreme and unremitting, and the information which he himself possessed on almost all subjects, was constantly and efficiently imparted to them.

His care for *all* children, whenever and wherever he met them, was also very noticeable. A child crying in the street, or a small boy tyrannized over by a larger one, never failed to attract his attention and interference; and the incident has often been related in print and otherwise, of his finding, in a stage coach on his way to hold a court of the Circuit, a little ill-clad, orphan girl. He wrapped the child in his own cloak, caused her afterward to be taken to Troy, and subsequently provided for her maintenance. This little girl was eventually adopted, by a family of respectability in Bennington.

He also took a great interest in the young men of his day. A hand to assist, and a kind word to encourage were always ready for them; and many instances are around us, in which such good offices were of permanent benefit to the recipients. Indeed, the general benevolence of his disposition toward his fellow-men young or old, was a trait of his character with which

every one who knew him is familiar; and he had, to the fullest extent, what Shakespeare says "should accompany old age," although old age was not vouchsafed to him; namely:

"Honor, love, obedience, troops of friends."

Fuller details of his personal history and public career will be found in the obituaries which are appended to this brief sketch of his life, and in the numerous tributes to his talent and worth contained in these notices and in the subjoined voluntary offerings of respect and affection, from several of his most distinguished professional brethren and friends; and these together afford the amplest evidence that the eulogistic tone of the present narrative is by no means the exaggerated utterance of too partial affection, but the simple and honest expression of the respect and admiration due to his great talents, his lofty character and his noble career.

That career was brought to a sad and sudden close, while it was yet far from its culminating point, and while (to human expectation), he had yet before him long years of honor, of usefulness, and of distinction.

He died early in the morning of Sunday, the sixth of December, 1868, at the age of sixty-one, after an

illness which, although extended over a period of some months, had not been regarded, until within a few weeks of his death, as giving any cause for immediate or even serious apprehension.

He passed to his rest in the full vigor of his intellect, in the full possession of his faculties, with manly fortitude and Christian resignation; surrounded by those who were dearest to his heart; watched with the fondest care; soothed by the tenderest ministerings of filial and conjugal affection; and followed by the love, the reverence, and the heartfelt sorrow, not only of his own family, but of the whole community of which he had been so bright an ornament.

JUDGE HARRIS'S

TRIBUTE.

JUDGE HARRIS'S TRIBUTE.

Judge Gould was long known and honored in this community. There are few members of the legal profession whose death would be more sincerely lamented or whose loss would be more deeply deplored. It is due to his memory that a memorial of his many virtues should be offered by one who for many years was his friend and associate.

It is of the character of Judge Gould as a lawyer and a judge that the writer proposes more especially to speak. He was the son of the late distinguished Judge James Gould of Litchfield, Connecticut. Having completed his collegiate education, he entered his father's celebrated Law school, where he pursued his professional studies. These early advantages were well improved. There can be no doubt that the good influences which surrounded him in his early life and the thorough training of his father's school contributed much towards the formation of his character. But no art could create, nor could any training bestow the

high moral qualities, or the amiable disposition for which he was so distinguished.

Judge Gould commenced his professional life at Troy, about the year 1830. He continued the practice of the law there until, in November, 1855, he was elected a judge of the Supreme Court of New York. This distinguished position he held eight years. During all this period it was the good fortune of the writer to know him intimately and enjoy his friendship. This tribute, the voluntary homage of the heart, is founded on this long and intimate knowledge of the man.

As a lawyer, the great learning and the great moral excellence of Judge Gould, made him an ornament of his profession. As a judge, he discharged the duties of his high office with distinguished ability and honorable success. In this, as in every other position in life, he always proved himself equal to the occasion. His powers always rose in proportion to the demands made upon them. He showed himself a thorough master of every question which came before him. His knowledge of the law, especially of the common law, was very extensive, and, what is better yet, his mind was not only well filled, but *well packed*. His learning never embarrassed him. He did not reel, as some do, under his great weight of learning. He

seemed always to have his acquirements, great and varied as they were, under his perfect control. He made no ostentatious parade of his learning. His acquirements had become so completely a part of himself, so thoroughly incorporated into his mental constitution, that every thing he said and did, seemed simple and natural, so simple and natural as to give scarcely any evidence of the power he really possessed or the industry it had cost him to make himself master of the subject.

Judge Gould affected no superiority of attainments, yet no one could be long associated with him without being made sensible of the extent and accuracy of his legal knowledge. His bearing upon the bench was admirable. The winning courtesy and gentleness, not unmingled with dignity, with which he presided was remarkable. He was never violent, never overbearing or dictatorial. The suavity of his own demeanor encouraged the timid and restrained the rough and boisterous. Nor did his gentleness and courtesy arise from any weakness or self-distrust. It was the fruit of his own delicacy of feeling and genuine benevolence.

While Judge Gould was always kind and gentle in his demeanor, he was also fearless and inflexible in the discharge of duty, always patient to hear and

ready to learn from the investigations of counsel the various aspects of the case under consideration, he never flinched from an expression of his own views and opinions and upon questions of right and wrong, such was his devotedness to truth and justice, he was sometimes stern, even to severity. He saw the principles of law involved in a case almost with the quickness of intuition and was always ready with the learning requisite for their illustration. Indeed, his admirable readiness in the application of legal principles, combined with a rare accuracy of memory exhibited in his prompt and easy reference to legal authority, was one of the most conspicuous traits of his character as a judge.

To a thorough knowledge of the elementary principles of law, Judge Gould added the graces of high literary culture. His judicial opinions were lucid and concise and often elegant. They were never weakened by a cumbrous redundancy or an attempt at rhetorical flourish. But the most prominent characteristic of Judge Gould, that for which he was most distinguished and which he evinced on all occasions, as well when holding the scales between contending parties as in the intercourse and business of private and professional life, was his unbending integrity and strict impartiality. It was for this, that

he was so often selected by litigating parties, in that important class of cases which are tried out of court, to determine their rights. They knew that in referring their cases to his decision, they would be decided by one who was not only a sound and learned lawyer but one whose integrity and impartiality was unswerving. It was for this reason, too, that important and responsible trusts, embracing vast interests and large amounts were confided to his charge and administration.

It is not too much to say that there never was a judge upon the bench of the Supreme Court for whom a more profound respect was entertained, or who by his urbanity and uniform kindness had endeared himself more generally to the legal profession. Few purer minded or clearer headed men ever occupied a judicial station, and so completely did his happy temper, his warm heart and genial sympathies win and attach to him all who came in contact with him that even those against whom he was compelled to decide were disarmed of all sense of injustice by the gentleness and kindness with which the decision was pronounced.

The private character of Judge Gould was preeminently beautiful. He was pure in spirit and blameless in life. He faithfully discharged all the duties of a

husband, a father and a friend. His eye always beamed with the same bright and benignant expression. His whole countenance was lighted up with refinement and intelligence, no excesses marred the daily beauty of his life. To the very last he preserved the same youthfulness of feeling, and freshness of heart which has so adorned his whole life. Could the veil have been withdrawn from his interior life, nothing would have been discovered which the purest mind would have desired to leave unrevealed, nothing which would have tarnished the purest character. Living as he did in the most frank and open exposure of his heart, no man ever heard him utter a word which would mantle with a blush the cheek of modesty.

Though Judge Gould was not young, neither was he old. He died in the very ripeness of his powers, the glory of his manhood. He died, as such a man might wish to die, before his sun had begun to decline and while his mind was yet unclouded by any shadow of infirmity or touch of decay. He died when his friends might reasonably have expected for him many more years of honorable usefulness. He died as the good soldier would wish to die, fresh from the battle, and with his armor on. Age had not quenched his intellectual vigor. Time had touched him but lightly,

no lingering decay marshaled him to the sepulchre. He had lived without reproach. His honor was without a stain. His path was luminous as "the path of the just."

His day and mission are over; his life is now a beautiful vision of the past. Having met and performed every duty, he gracefully sunk out of view.

"Nor sank his star in empty night
But hid itself in Heaven's own light."

His memory shall not die. To the profession of which he was an ornament, he has left an example of a virtuous and well-spent life. The remembrance of his services and his virtues will be preserved by his children as a precious inheritance.

PROCEEDINGS

OF

THE BAR.

PROCEEDINGS OF THE BAR.

Mr. Beach said:

"For the purpose of organizing this meeting, I move that Judge Ingalls occupy the chair." Judge Ingalls having assumed the chair, Mr. Beach moved as secretaries F. J. Parmenter and B. H. Hall. Carried.

Mr. M. I. Townsend moved that a commitee of three be appointed by the chair whose duty it should be to present, for the consideration of the meeting, resolutions which might be deemed appropriate to the solemn and affecting occasion. Seconded by Mr. Shaw.

The chair thereupon appointed M. I. Townsend, C. L. Tracy and J. Romeyn as such committee to present resolutions.

Mr. Townsend said:

I am instructed by the committee to present the following for the consideration of this meeting:

Our departed brother, Judge Gould, was one of the most illustrious ornaments of the profession to which

he was proud to belong. As a lawyer, he was deeply imbued with all the learning which centuries of Norman civilization have wrought from the stock of original rights and customs, brought by our Saxon ancestors from central Europe, and sturdily asserted and maintained until this day when the diffusion of Christian philosophy simplified legislation and jurisprudence into the succinct dogma, "Do unto others as you would have others do unto you." He was a faithful and intelligent advocate, a ready, upright and concientious judge. He drank deep draughts from the fountains of ancient and modern literature, and his ever active mind was filled with all those ideas, which the advancing researches of modern science have developed in our favored generation.

Elevated and pure in his private life, he illustrated before the world those virtues which do honor to our Creator and commend us to our fellow men. By all who knew him well, he was deeply loved. By our entire population he was most profoundly respected and esteemed. In his walk before the world he did honor to his race; in his death we mourn the loss of one of the noblest and most honored members of our profession — of one of the most distinguished ornaments of our society. His memory will never be lost to those of us who have enjoyed his genial converse, or been

cheered and incited by his professional example. In view of the loss which the bar have sustained by this most afflictive dispensation,

Resolved, That in the loss of Judge Gould we sincerely mourn the loss of a beloved friend and brother, whose bright example will long remain a beacon light, illuminating the path which leads to true eminence and lasting distinction.

Resolved, That our most cordial sympathy is due to the family of our departed friend in this hour of their irreparable bereavement.

Resolved, That as a token of respect, we will attend the funeral of Judge Gould in a body.

Resolved, That a copy of the proceedings of this meeting be signed by the officers, and sent to the family of the deceased.

Judge Ingalls then asked what the further pleasure of the meeting might be, whereupon Mr. Mann spoke as follows:

ADDRESS

OF

JUDGE FRANCIS N. MANN.

ADDRESS OF JUDGE F. N. MANN.

MR. PRESIDENT: Our deceased brother was one of the senior members of this bar, and known to many of us, both as a lawyer and a friend, during the last forty years, and it affords me pleasure to second the truthful and appropriate resolutions, just reported by our committee, and to add my testimony to his character.

In 1829 he came to Troy, and was admitted to the bar in 1830. At that time there were fifty-four members of the Rensselaer county bar, forty-nine of whom have gone to their long home, and five only survive. How transient and like a vapour is our life! These frequent deaths among our profession are a warning to the survivors to be prepared for the solemn summons.

Time does not wait, death is inexorable and is no respecter of persons. Our brother enjoyed the advantages of a liberal education, as well as a thorough training in the law school of his father before he came to Troy. His mind, therefore, was well trained, and stored with ancient and modern literature and science,

as well as the elementary principles of the common law. Besides these early advantages, he practiced in our courts twenty-five years before he was elected a judge in the Supreme Court. This enabled him to investigate and unravel the most intricate questions of law involved in the cases that came before him. This long practice had matured his mind, and made him familiar with the practice and principles of his profession.

He was an able judge. In the trial of cases he was distinguished for promptness and accuracy. His decisions were based upon the principles of common law, and were generally correct. As a judge and office-lawyer, few men could accomplish as much and as well as he, in the same time. He was prompt in action, and economized his own and others' time, by fulfilling his engagements with strict fidelity.

The young members of the bar had in him a reliable friend; some of his surviving friends know the value of his assistance. His counsel, his library, and such other aids as he could render, were freely given. He was an ornament to our profession, and a worthy example for us to emulate. His habits were good, his integrity was never questioned, his morality was above reproach, and his diligence in his profession was worthy of imitation and sure to lead to distinction.

As a citizen he was active and energetic in doing all he could to build up and sustain the city of his adoption, and all philanthropic and charitable institutions. He was a genial companion, and his social qualities were beautifully exemplified in his daily life, and in his family circle. All persons were made welcome and at ease in his company. In his family circle his uniform sweet smile and cordial greeting made his home pleasant, and his family happy. He was very companionable and playful with his children, and enjoyed and participated in their plays and sports. He could tell, and enjoy with his companions, interesting stories and amusing anecdotes, and sometimes was witty and sarcastic, but not at the expense of any one. He respected the feelings of all, and few men were more respected and had fewer enemies than he. He excelled as a business man, and was a good judge of men and things. He was a loyal man. The pulsations of his heart vibrated with the feelings of loyalty and love of country, as naturally as the needle points to the pole. He was a Christian gentleman, punctual and conscientious in discharging all his duties to God and man. And we believe he has gone to enjoy the reward of the righteous.

ADDRESS

OF

JUDGE CHEEVER.

ADDRESS OF JUDGE CHEEVER.

He was, by right of inheritance, entitled to intellect that peculiarly fitted him for excellence as a jurist. His father, Judge James Gould, of Litchfield, Connecticut, was for many years at the commencement of this century, associated with the distinguished Judge Reeve, in an annual course of law lectures. Judge Gould showed a mind peculiarly well adapted to juridicial study and to juridicial composition. His lectures, for their terseness, their purity of diction, their beauty and at the same time their fullness were models of juridicial composition. One in hearing or reading his lectures, is reminded of the qualities found in the *Pandects* of Justinian.

His son, whose untimely departure we are called upon to mourn, and whose loss the jurisprudence, the arts and sciences, and the literature of the country have so great cause to mourn, had transmitted to him very many of that father's qualities. Familiar as he was in the refined walks of life, his manner was marked with amenity and gracefulness, indicating,

and truly indicating, a temperament of kindness and humanity.

With an ample store of juridicial learning, with quick perception, ready comprehension and good judgment, he was judicially fitted to preside at the Circuit. His high literary attainments and high *belles-lettres* taste, as well as his thorough legal reading, gave his reported opinions rank with those of Bronson, Marcy, Kent, and others of his profession in our judiciary ranks.

If the public is not mistaken in the parentage of the brilliant and graceful papers from the pen of "Daisy Ventnor," the flow of intellect has reached the third generation.

ADDRESS

OF

MR. WM. A. BEACH.

ADDRESS OF MR. WM. A. BEACH.

Once more the summons comes to us. One step nearer to each of us, the appointed time has advanced. Its capricious call gives no sign, pointing to the next who shall be summoned. We have followed from our numbers to the grave, the old and the young, the feeble and the strong. No circumstance of age or health, of hope anticipated, or hope accomplished has saved from the spoiler. The brother and friend to whose memory we assemble, seemed likelier than many of us, to hold his place among the honorable activities of life. Methodical, and abstemious in habit, cheerful, and bold in temperament, his ruddy and happy face looked a presage of many useful years. Notwithstanding his life had stretched beyond the meridian, his death brings a sudden and painful shock. Some of you may have traced his decline. Circumstances withheld from me all notice of his peril, until I heard of his death. But few events have been to me, more full than this, of startling, and appalling suddenness.

For many years Judge Gould and myself have been in intimate association. We were accustomed

to confer and counsel with each other, and I had learned to esteem him for those priceless qualities, which mark the true, and reliable counselor and friend. To me, his loss is aggravated by the reflection, that he gave me no farewell — that I have no last look, and parting word to remember. It is very hard thus to lose those we love. Bitter as it is to witness the slow wasting, and suffering of disease, it is harder still to part without a loving sign.

It is pleasant to know, that the clear, strong intellect of our friend, passed into the dark valley, brilliant to the last. His illness and death were without pain. He sank to his last rest, serenely and peacefully, as a child slumbers, with that cheery smile, we so well recollect, mingling with the clammy shadows of the grave. Fitting end to a noble life, soiled with no taint of shame, embittered by no gloomy remorse.

This is no occasion for studied eulogy. Becoming praise of him requires the patient biographer. His life-long deeds of honorable effort, and useful generosity are his best and enduring epitaph.

Yet it is well for us, met as professional brethren, to recall those qualities which marked his elevated rank among us. Gifted, as he was by nature, with rapid perception and unerring intuitions, his soul discerning the right with noble instinct, and following it

with brave fortitude, sparkling with genial wit and repartee, his chief excellence, as a lawyer, consisted in his intimate and ready knowledge of elementary principle. Every legal problem presented to his mind, was at once referred to the test of this knowledge. We know how often the lawyer is perplexed by new complications of circumstance, suggesting inquiries, answered by no precise precedent. To us, it is a trite remark, that the law is composed of rules, comprehensive and flexible, which adjust themselves to all the necessities of society and government. With these, Judge Gould was profoundly acquainted. He could trace new cases to old principles, with unequaled readiness. His conclusions were, therefore, prompt, and his convictions positive. His decisions were never confused or hesitating, because they were founded upon elementary law. Nothing gives to the lawyer more earnest confidence, than a clearly perceived alliance with fundamental rule. The decisions of courts are fluctuating and conflicting, but the cardinal principles of our science seldom change. They enlarge and accommodate themselves to the varying incidents of life, preserving all the while, their essential character; and the true greatness of the lawyer consists in the broad comprehension, and subtle discrimination, which enable him, thus to apply them with accuracy.

It was this power, united with his quick discernment, which gave to Judge Gould upon the bench. his instant and absolute convictions. These seemed to many, unacquainted with his intellect and acquirements, sometimes inconsiderate, and partial. It was great misjudgment, and his merit was the cause of it.

These same qualities taught him to scorn all sophistry, and meanness. Perceiving legal truth so speedily, and absolutely, he had little toleration for ignorance, or stupidity. For his admirable learning, he was indebted to early study, and the tuition of his distinguished father. It gave him a professional life of comparative ease. He was ready harnessed for the race, when he started on the course. He was never encumbered by doubts, or delayed by indecision. Industrious and indefatigable, his energies were not exhausted in repairing a defective education. It is a sad error, which leads so many of our younger, and cherished brethren upon the busy arena, without like preparation. Our profession is vexatious, and wearisome enough, at best. It is perpetual crucifixion to the ambitious lawyer, who is obliged to learn its rudiments, as he advances in its practice.

I have said, that Judge Gould had little patience with sophistry, and technicality. I think this led him to avoid the career of the advocate. He had no

relish for the stirring, and stalwart conflicts of the circuit. He loved rather, the gentler and profounder philosophy of the law — the quiet paths along its pure, tranquil streams, where he drank deep from its fountains. Yet he had the gifts of an accomplished orator. Learned and polished — a graceful classical scholar — cultivated in history and poetry — imaginative and impulsive — winning and impressive in address, he was fitted for a brilliant advocate. He chose otherwise, and few of us that are old, will say he chose unwisely.

It needs not to be said, but it is beautiful to be remembered, that our friend, thus endowed, was the trust, and charm of the many who loved him. I knew him in his earlier manhood, before the frosty years had wept on his brow — when life was poesy, and rude experience had not broken the fairy bubbles of hope. We have travelled together the latter years, communing much by the way. We have parted all too suddenly, but well I know, that the space that separates us, is but a narrow isthmus. A few more weary strides, and we shall resume our broken companionship: for

"Immortality o'ersweeps
All pains, all tears, all time, all fears, speaks
Like the eternal thunders of the deep
Into my heart this truth — thou liv'st forever."

ADDRESS

OF

DANIEL MARVIN, JR.

ADDRESS OF MR. DANIEL MARVIN, JR.

MR. CHAIRMAN: On Sunday morning it was announced, that between midnight and the dawn, Judge George Gould had died.

It was heard as a piece of ill news, that goes to the heart of every citizen. It is no hazard to say, that it will affect in our state, public bodies; it will break up the routine of more than one institution of learning, for he was a conspicuous member of many. It was a startling thing to tell in Troy, where he had been seen in activity until within a few hours. When men's reflection illumined the sphere of his life, they felt a loss; of one snatched from a large circle of respected and honorable men, to whom he was in law, and other knowledge, an oracle.

Posthumous praise is commendable in instances, and not to be forgotten in a day of rites; but it cannot impart one lesson so valuable, as the life itself may give. This observation has an illustration of magnitude in the career now closed. Thus, the considera-

tion and the glory, that belong to his name, he has himself set with metes and bounds. In the long run, this measure will be patent, whatever his friends and admirers, or even his enemies and detractors may say and do. It is safe to say, it will be in the vicinity of renown, aye, on its domain. It is certain he was an ornament of this profession, and one of its pillars; but whatever else, in this regard, the State Reports shall have the highest test.

I should say his life was rounded, as in number were his years; not to the full, but as sixty-one — it may be more — is to three-score and ten. High upon the roll, strong, prominent; but not the highest, not mighty.

Men, and all guilds of men, in business here, esteemed his counsel and name, of value enough to be sought, and known to be in their behalf: often as a sheet anchor.

The cause of the Country, in high peril asked his voice, and had it, in timely and patriotic words, and like a clarion. Suitors at this bar could go no higher for the moral prestige of a name, and for ability adequate, though not preeminent as an advocate.

My memory goes back to the ovation given to a hero of Troy, at which Mr. Gould pronounced from the steps of this building, in classic phrase, the wel-

come needed to be done so well. And there will long be, and may there be long, why not in history, the eulogy and the sword of Wool!

The polish he gave to thought, came within the rule. The stratum of matter made it good; it was certain that such shining had the basis of a solid body.

In his oratory and culture, he resembled the late Theodore Frelinghuysen, of the state of New Jersey.

Much as it may be undervalued, there is a sort of effective speech that has great names on its side, and has achieved a place in the rank of genius. The principle is stated: that contemplated, animates where nature has given any material to be set on fire; winged words shoot forth and win over masses, the reflective not excepted.

In this realm which men call impassioned, he was not a denizen, but walked as one does in a place where he was home-bred. Here was the invisible halo, encircling a man with closer contact than touched men generally; perhaps, to show a difference in human beings, and set them a distinguished exampler.

Some aroma of philosophy, breathing round the dry and toilsome walks of business; some enchanting view of mystery and appalling fact, he would give as a diversion to you, often, as he had occasion to walk that way.

Much was owing to his facility in all he did; but this did not turn out to be an apology for a life of shame. It was the fruit of preparation, of one who had wrought in many fields masterly.

In a Teachers' State Convention, held some years ago in the Athenæum of Troy, he gave, impromptu, Virgil's further line in reply to the president's opening address.

It seems more like an acquisition, than an inbred thing, that gives a stamp of this degree of gentility and intelligence, just now prostrated; but as we are informed, not much effaced, even in its present humiliation. An endowment it may have been, but the habits of years say no! and they bear away the palm for having chiefly contributed to earn his honors. More may be accorded in truth. Forget not the serenity of his manner, and if pain did not bring a rack to distract him, we have an impression, that in an attitude better than the defiant out-look of the impious, and the fright and flattering hardihood of fools, he preserved his composure. And Lord Bacon has said, that men who live and die thus, are men of learning.

Lives in all theories, have relations onward. It is supposed they are identified here, as they hope to be. Judge Gould was a reliance not only in his profes-

sion, but he was deemed a man desirable to have for the advocacy of science and religion, as well as law. And such men have many good harbors in the road of their exit beyond us, forasmuch as law, religion, science, had their first temples in eternity.

ADDRESS

OF

MR. A. D. LYON.

ADDRESS OF MR. A. D. LYON.

The poet hath truly said:

"Death loves a shining mark, a signal blow,
A blow which, while it executes, alarms,
And startles thousands with a single fall."

And the fatal shaft of the dread angel has again entered our circle — has pierced the brightest casket, and borne from earth our companion, friend and brother. That peaceful sabbath morning was a most fit time for the departure of so pure a man. The bells of earth rang out the hour of prayer — of Christian worship and songs of praise to the Heavenly King.

The bells of the eternal city rang in his redeemed spirit, another trophy to the cause of Christ — rung in to eternal glory the great exampler of our brotherhood. With you, my learned associates, who have paid to the deceased such eloquent, worthy tributes of affection, I would join my humble offering. You knew him well, and well have you spoken of the

many qualities of his head and heart. I knew him better, and more than half his generous acts, manly impulses and warm, pure, sympathy, will remain untold forever.

As a judge, he honored the judicial ermine, standing chief among his compeers. In the practice of the law he was vigilant, faithful, honest, and one of the most safe and able counsellors in the United States. He loved the law for its own pure sake, and no one was more familiar with the principles of the common law in its various branches, than he. With a clear, quick, comprehensive mind, he seemed as by instinct to grasp and unravel the most difficult and knotty legal questions, and with unequaled rapidity glance over volumes of evidence, and arrive at the most correct conclusions. The young members of the profession always found in him a friend. He never turned them empty away; but with happy, timely advice cheered them on, and sought to encourage the halting, stammering ones.

As a citizen he was respected, honored, loved, and they who knew him best, loved him most and best. Every project tending to elevate the community, and augment the public good, received his earnest, cordial support. With a heart to feel for others' woes, he scattered blessings with an open, liberal hand; and the

foundation of more than one man's fortune in this community, was laid with his willing aid.

> "To the blind, the deaf, the lame,
> To the ignorant and vile,
> Stranger, captive, slave he came,
> With a welcome and a smile.
> Help to all, he did dispense;
> Gold, instruction, raiment, food,
> Like the gifts of Providence,
> To the evil and the good."

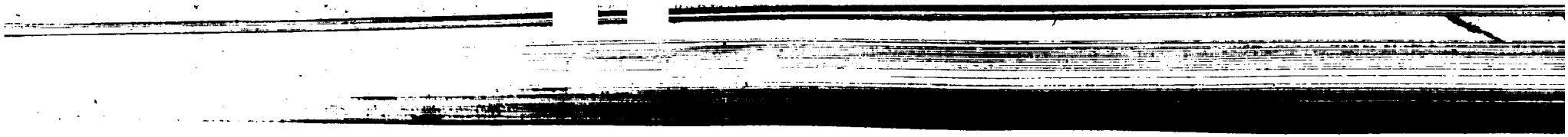
As a companion and friend he was self-sacrificing, affable, courteous, kind. His pure, cultivated mind, was a very store-house of knowledge. He was ready and sharp at repartee, with a volume of apt anecdotes at his command. He was the most companionable of all companions, the very light and life of the social circle.

As a father and husband he was liberal, indulgent, true, loving, and possessed all the noble qualities of a high minded, pure husband, and affectionate father.

Since first I commenced the study of the law, with the exception of a few months, I have occupied the same office with him, and to the deceased Hon. George Gould, more than to all others in the profession, I am indebted for kindly aid, wise counsel, timely admonition, and earnest, heartfelt sympathy and love. To

show how large and how tender a heart throbbed in the breast of this Christian gentleman, I crave indulgence to a personal allusion. In the year 1864, I was drafted, and when first I saw that princely man, after I had learned the fact, I said to him: "My wife is feeling very badly, fearing that I may be obliged to go to the war." Knowing well my pecuniary embarrassment, he replied at once: "Go right home and tell your wife not to feel badly; that *I* say you are not going to the war." Thus obeying the natural magnanimous impulses of his too generous heart, he in a moment assumed to send a man to the war in my stead, and leave me to guard my cherished home. On more than one occasion, when confined by sickness, he, like an angel of mercy, found me out, his smile, like golden sunshine, scattered the clouds and illumed my humble home. His presence there planted forget-me-nots in the heart of each member of my household which will bloom brightly there while life shall last. When recalling the acts and sayings of this Christian philanthropist, genial polished scholar, this nature's nobleman, grief quite o'ercomes me, and the promptings of my heart bid me seek a place among the bereaved ones, and gather sweet consolation from your comforting words, and from the strong assurance that our loss is his eternal gain. You have lost a counsel-

lor, companion, brother; I, a loved and cherished daily associate, adviser, guardian, and almost father. Yes, he has crossed the river alone, all alone, and entered that world on which the shadows of death can never come; because it lies in the eternal sunshine, on the other side of death, and all the shadows fall on this side.



ADDRESS

OF

MR. B. H. HALL.

ADDRESS OF MR. B. H. HALL.

On occasions like this it is always pleasant for us to recall to mind that scene in the life of the departed friend which has given us the most pleasure. With other members of the bar, I have met Judge Gould in the walks of legal life, but I think I recall no scenes more pleasurable than those in which I had engaged with him in conversation of another character. I remember no scene now with more pleasure, than the evening passed with him at my home, a year ago last Thanksgiving night, when, with his brother, Edward Gould, he came to make me a friendly social visit. The conversation turned that evening upon language, and its study upon words, their origin, use, and single terms to which they have been devoted in the course of use, running through centuries. This led to the discussion of the work that had just been published by his brother, and from that we came to talk upon other points cognate, and by and by Judge Gould, who for the time had been a silent listener to this con-

versation, commenced talking, choosing this word and that word and another that had been discussed as we supposed fully in the work alluded to. The manner in which this discussion was carried on by the Judge surprised me. I had known previous to that time, for I had often conversed with him on other topics, of his fondness for literature. I had known of the studies he had pursued, and I had known of his acquirements that he had privately made in the walks of literature, but not until that evening was I fully aware of the fact that he had studied so deeply into the source of language, and that he knew so well the derivation of those words so common on our tongues, of whose source we never think; and I think if there is any one evening, or any time or occasion which I recall with pleasure, it is that Thanksgiving evening of a year agone.

I notice, Mr. Chairman, since the decease of our lamented friend, more or less in reference to the course which he pursued in two very important particulars. The one in reference to his action in the anti-rent cases, and the other in reference to his uniform (as it is called) action regarding the railroad cases. In reference to the first I have this suggestion, and it is this, that to no other man are the people of this section of the country—a section of

country which, by the old law has been placed in a most peculiar situation—I say to no one man save those whose legal rights it was necessary to uphold, whose equal rights it was necessary should be held unimpaired, to no one man are the rightful land-owners of this city and county greater cause to be thankful for his rights, the upholding of the laws of the country and of the state, than to Judge Gould, and I cannot for one moment indulge the thought that he was guided in his course by any unworthy motive. On the contrary, I think that his knowledge of the law, if it was supreme in any one point, was supreme in the point regarding the anti-rent decisions.

In reference to the other point that has been referred to, I know not but his mind may have been imperceptibly influenced in the course he took. You know, Mr. Chairman, that our minds are apt to be more or less influenced by reasons which we have not knowledge of even ourselves; by influences which come upon us, and which guide us and lead us to certain conclusions; and which, if those influences were stated to us, we would not recognize as hurtful for a moment. It may be that in the course of his life and associations, there was this imperceptible influence which worked upon his mind and led him

into a certain course of thought, but I think every member of the bar will stand by me to-day in the belief that no unworthy motive ever guided Judge Gould in any of his decisions in either of these particulars.

Mr. Wm. A. Beach spoke as follows:

I desire to add to the remarks of my friend Hall upon the topics suggested by the newspapers, that in reference to the anti-rent controversy, after years of angry and bitter contentions, and violent social disturbances, Judge Gould, in his examination of that litigation, applied the statutory principles that settled it definitely and certainly, which principles had escaped the attention of the brightest and most brilliant minds who have applied their capabilities to that investigation. And in reference to his supposed devotion to rail road interests, I beg to say that in the Court of Appeals he delivered an opinion settling a doctrine more disadvantageous and disastrous to rail road interests than has ever been pronounced by any court or judge in the state, and the imputation indulged in by the public press in reference to both of these questions is most unfounded and undeserved.

ADDRESS

OF

JUDGE ROMEYN.

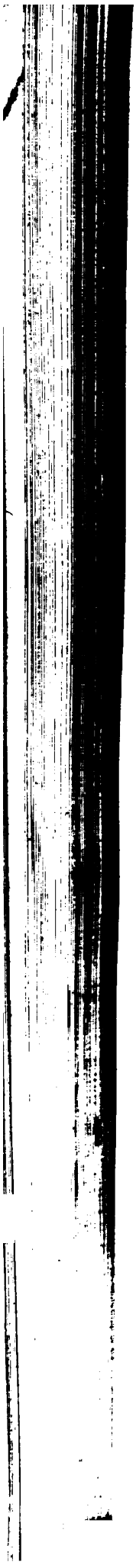
ADDRESS OF JUDGE ROMEYN.

MR. CHAIRMAN: My personal acquaintance with the deceased, commenced with my coming hither, more than a third of a century since, to cast my professional lot with his. Having already reached the prime of his life, and attained the height of his fame, I was naturally attracted to him by the beauty of his person and the accomplishments of his mind, and a friendship at once began and was continued between us without interruption for a period longer than that enjoyed, with perhaps few exceptions, by any other surviving member of this bar, and ended only by his death. It is, therefore, sir, that I desire and deem it fitting, on this occasion, to add my testimony and tribute to those of his brethren who have preceded me, as to his exalted worth and ability in every relation, and in every capacity in which it has been viewed by them, and to mingle my regret with theirs at his departure from among us.

ADDRESS

OF

MR. R. M. TOWNSEND.



ADDRESS OF MR. R. M. TOWNSEND.

MR. CHAIRMAN: In the midst of the sacred quietude of the sabbath morning, the sad intelligence came to me at my home, that our beloved friend and brother, Judge Gould, was no more. The suddenness and sadness of this information, coming as it did so unexpectedly, almost overwhelmed me with sorrow and grief. It was only a few days since I called on him at his office and found him writing at his desk, and after a very pleasant social conversation, I proposed to him that we should take a short walk together, but he declined pleasantly, said he found that walking made him faint, and expressed a hope that he should soon be better, and said that then he would go and walk with me. I then left him, apparently full of hope and joyousness — little thinking on my part, that I should never see him again in the land of the living. But so it is. Death, that great destroyer, has stepped in quickly and done its severest and direst work on earth, and taken him suddenly away from us and his dear family, whom he loved so dearly

and watched over so tenderly — and we, and they, and all this bereaved city are left to weep and mourn over his death. I feel embarrassed in attempting to speak when my pressing public duties have not allowed me a moment's preparation to say anything appropriate to the solemnities of this hour. But the fullness of my heart compels me to bring my brief tribute of love and affection to the sacred memory of our departed friend and brother. Other gentlemen have, in their extended remarks, spoken feelingly, truthfully and eloquently of his virtues, his character, as they were beautifully exhibited in all his public, professional and private life. And, gentlemen of the bar, how manly, how beautiful, how perfect, and how attractive was that character! How noble an example his whole life presents to us and to the world; and how worthy of an imitation now and hereafter.

Is it not the solemn lesson of this sad hour that we should improve thereby?

When I arrived in this city in 1832, to read my profession, I found Judge Gould here in the vigor of his young manhood, already practicing in his profession, and he then, by his ripe scholarship in literature and law, gave sure promise of the great success he finally attained in his profession on the judicial bench of this state. I early learned to trust and love him,

and I always found him ready and willing, with generous and manly sympathy, to give me aid in my professional doubts and difficulties from his great resources arising from his extensive and well digested researches and legal reading. I was much indebted to him in this respect. In all our long years of acquaintance, which was always intimate, there was not a word, nor a thought, nor even a look to mar the perfection of our friendship.

Now that our beloved brother has left us, we can all unite in hearty accord, as we remember his uniform and never failing goodness, gentleness and kindness, to every one, and especially to the poor and lowly, and his anxiety to make everybody whom he could, more happy—that he was the higher type of a true gentleman.

What an achievement it is for any one to build up such a charming character here on earth, and leave it behind as a sacred memorial after he has been called away into those scenes that lie beyond the confines of time in the future world.

But, gentlemen, the dealings of Providence with our bar have been solemn and alarming. How suddenly and rapidly our numbers are diminished. One by one, in rapid succession, our brethren are called from time into eternity, and frequently almost without

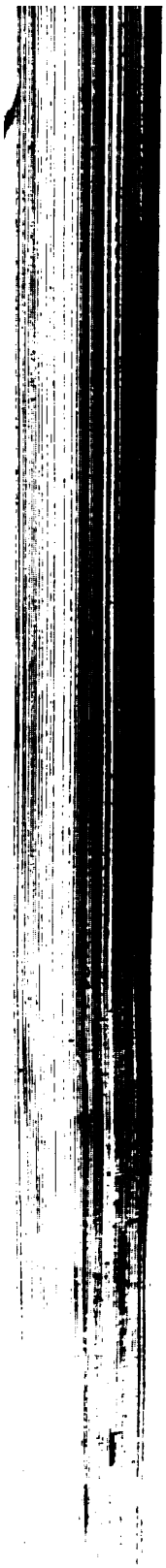
warning, until a feeling of solitariness falls upon me at times, and follows me wherever I go, and I am led in my loneliness, to ask myself the question, shall any of us be permitted to protract our stay long here below?

But it is evident that at best we shall all be called away soon. Perhaps the fearful message is already on its way to summons some other one of our number away from time into eternity, and the all important question is, are we each and all ready for that great event?

ADDRESS

OF

MR. HARVEY J. KING.



ADDRESS OF MR. HARVEY J. KING.

MR. CHAIRMAN: I rise with unaffected diffidence to add my brief but heartfelt tribute to the more elaborate ones which have already been paid to the memory of our deceased brother.

I should do violence to my feelings were I to remain silent on this occasion; for, in the decease of Judge Gould, I have sustained a personal loss.

He was my friend in the precise and true sense of the word. I was received as a student in his office when I first commenced the study of law, and continued there for two years and a half.

Before my personal acquaintance with him commenced, I had heard of him as an accomplished scholar in general literature, and a thoroughly educated lawyer.

I soon learned that in addition to those attainments, and above and beyond them, he possessed a warm, true, and noble heart, and a rare capacity to make all the higher qualities of his head and heart felt in their best influences upon those with whom he associated or came in contact.

Few, indeed of the members of our profession have received a more thorough and complete education in the elementary principles of the law, or explored its philosophy more profoundly; and fewer, still, amid the pressing and often too exacting demands of active professional life have retained and continually practiced those habits of system and order which make available, at any moment, all the learning acquired in an extended and comprehensive course of education and training.

For these invaluable acquisitions he was indebted in a large degree, to the careful and judicious teaching of his distinguished father and preceptor, many of whose mental traits he is said to have inherited.

But I do not propose, after the able and exhaustive manner in which his professional character and traits have been portrayed here, to say more on that subject.

I desire, rather, to speak of Judge Gould as a friend, whose loss I sincerely mourn, and to whose worth I would bear my testimony.

From the commencement of my intercourse with him he commanded my respect and admiration, and when my course of study in his office terminated, I both honored and loved him.

From that time until his decease, it has been my good fortune to enjoy his friendship, and I have often

availed myself of it whenever I desired advice or counsel, not only in matters professional, but in whatever was the appropriate subject for friendly consultation.

With refined tastes and a rare degree of cultivation, he was a model of gentlemanly courtesy, and there was a charm in his presence and conversation which attracted in a remarkable degree.

Frankness, candor and sincerity were conspicuous traits in his character. Whatever was opposed to these met his prompt and unqualified disapproval. Few men have enjoyed in a larger degree the confidence and respect of the community. His integrity I never have heard questioned. Ministering at the altar of justice his robes were pure and spotless.

Alike at the bar and upon the bench the right found always in him a champion and a bulwark — the wrong an uncompromising foe.

When on Sunday morning last I was startled by the announcement that our friend was dead, I found myself after some moments of reflection unconsciously applying to him the language of the Latin poet:

"Justum et tenacem propositi virum,
Non civium ardor prava jubentium
Non vultis instantis tyranni
Mente quatis solida."

He has gone from among us. We shall no more be cheered by his genial presence, but he will live in our hearts.

He leaves to the profession of which he was so bright an ornament, an example worthy of emulation; to his family an inheritance of which they may justly be proud, a record of the life of incorruptible integrity, of unsullied purity, of true Christian manhood.

What fairer record could any of us desire?

ADDRESS

OF

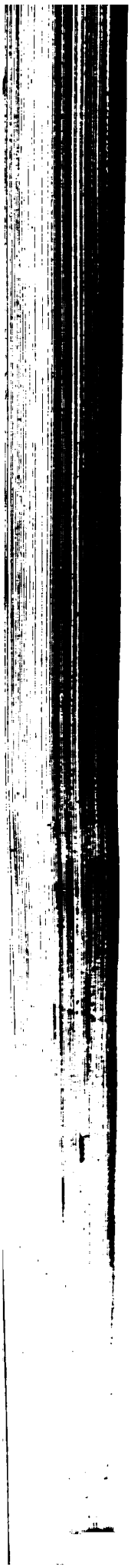
MR. R. A. PARMENTER.

ADDRESS OF MR. R. A. PARMENTER.

MR. CHAIRMAN: The merited and eloquent tribute which, on this occasion, my brethren have so appropriately bestowed upon the personal and professional character of our deceased brother, reflects, I doubt not, the judgment of each and every member of this bar. No further eulogy is necessary. We fully realize the fact that in the death of Judge Gould the Rensselaer bar has lost one of its leading minds, and this community one of its most distinguished and honored members. The deep solemnity that pervades this large and grief-stricken assemblage attests this truth. The sentiments of friendship, love and esteem which we whisper over the coffined remains of our deceased brother, are no idle ceremonies to occupy the passing hour and then to be forgotten amidst the moving panorama of active life, but rather the solemn and lasting utterances of hearts all stricken with grief. The sad event which we so much deplore will not be soon forgotten. The vacant seat at our bar, and the absent figure in the social circle, will

ever remind us that the eminent lawyer, the upright judge, and the exemplary man whose virtues we this day commemorate, is dead. In any form and at any time death is terrible, but when to finite beings it seems purposely to mock the strength, the ambition and the glory of this world by striking down the strong man, and in a moment severing that mysterious connection of towering intellect with physical organization, it becomes appalling, and it is only relieved of its terror by the hope that lies beyond. Our brother was not only noble as he moved along with us, and above us, in the full vigor of life and manhood, but he was noble as he entered the dark valley to meet the destroyer. Apprised of his speedy dissolution he was calm and hopeful. While yet the arrow of death quivered in the hand of the relentless archer, doubtless that active mind, still unimpaired, instinctively and swiftly passed under review, an eventful life of three-score years. The result of that investigation may be judged by the composure with which he passed the line which separates time from eternity. Conscious of the rectitude of his character he died as the great, who are good, always die. We admire the man and see not his faults, if he had any. Indeed, his character was so upright, and his virtues so conspicuous, that they obscured

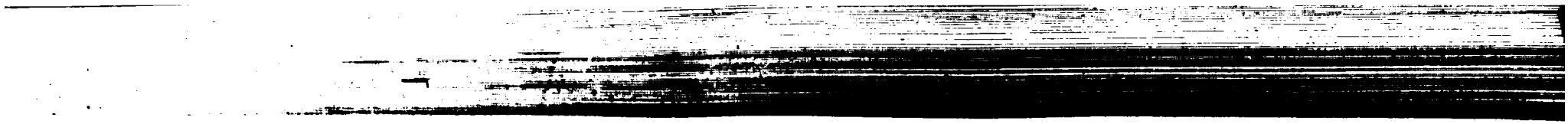
whatever faults he may have possessed. But the bells toll the hour of our departure; and now, as we sadly and slowly follow the remains of our deceased brother to the shades of Oakwood, let us, my brethren, resolve to fulfill our own destinies so that we may respectively merit and secure from those who shall survive us that tribute of respect which, on this occasion, we unite in rendering to the memory of the deceased.



ADDRESS

OF

MR. E. L. COLE.



ADDRESS OF MR. E. L. COLE.

MR. CHAIRMAN: I approach with reverence the memory of the departed, to lay upon the bier of his past life my feeble tribute to his worth. It is with feelings of great sorrow that I speak, sorrow that broods over my heart like the dark wings of the coming night; sorrow not altogether dense in it darkness, but made a half twilight by the record of radiant acts of the deceased in his lifetime. Of these you have been told by those who, through the long years past, fought side by side with him, and who have to-day paid their fondest tribute of words and heart to his worth. But we, the younger members of this bar, have some claim, some regard to speak to the virtues and the doings of him who has passed away, virtues and doings that should be to us as household gods, to be worshiped every day; before whose shrine we should each day bow in reverence and strive to attain. We should group around our heart of hearts the lessons that he taught us by the example of his life; lessons of duty to our chosen profession; lessons of right ever

against wrong; lessons remembered and practiced, would make the law the emblem of all that was manly, good and noble.

Our associate has passed the portals of death, and already the secrets of the other world are his; from out the clay has his soul winged its way back to the God who gave it birth. My lips grew shaded when I heard of it, and although not used to

"the melting mood,"

still, as if in an intuitive sympathy with those eyes forever closed, there came with the tear a darkness over the world to me; 'twas the sympathy and symbol of my nature in his life, that had just had the portals of the light of the world closed upon it.

Under such circumstances as this, words are but feeble indications of feeling. Low down in our hearts are sad and painful thoughts; thoughts that our true natures would hold a sacrilege to tear the dark crape of sorrow from and hold up to the gaze of the world; thoughts of kind deeds, kind and loving words and gentle manners; memories of actions that we cherish as given by him to us, treasured up jealously as our property, and guarded as our most precious thoughts; memories that, when the battle of life seemed hard against us, and we were almost fainting and dis-

couraged by the wayside, we took them from their treasured resting place, and as the true believer in the faith of Rome presses his hand upon his holy relic and gathers courage, and takes bold heart therefrom, so we gathered faith and courage from our memories of the kind deeds and grand words of encouragement of our deceased brother. They live after him, and now have grown twice more dear since the lips that uttered the kind words are dumb; since the heart that beat within the impulses of friendship toward us now is stilled; since the hand that was ever ready to grasp ours with manly, friendly grasp, now lies cold and motionless in the grasp of death.

It seems but yesterday that I saw him in the pride and strength of vigorous life; his step firm, his eye clear, his pleasant smile and cordial greeting; saw the clustered snow locks round his noble head; heard the tones of his cheerful voice, and thought, here is a man an honour to our profession in every sense of the word—one of that class of men of the school of the olden time, who are now so fast passing away; one who as a man, was of the type that made friendship to be sought, who was, wherever you placed him, a gentleman, with courteous, ordinary carriage, that you respected, not feared; speech that was familiar, yet commanding attention and respect; the power to say

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No, with such a grace that the refusal was almost a pleasure to hear; as a Judge tempered mercy with justice, and so held the scales that ever the right triumphed, and the wrong shrank back abashed, and departed.

He was one who possessed —

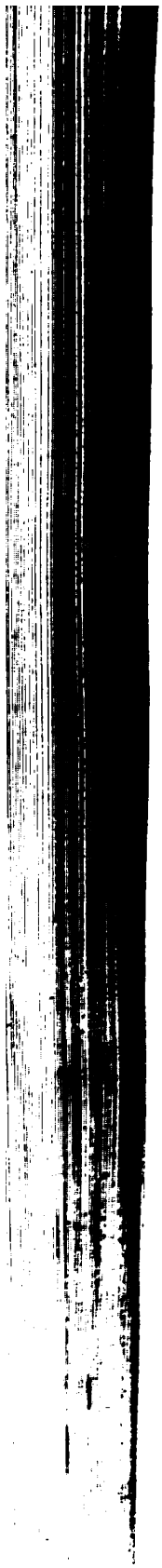
> "The intuitive decisions of a bright
> And thorough intellect to part
> Error from crime."

And coming generations shall pause over our intricate law reports, and read the words there writ down by him, bless his memory, and treasure up in their minds the name of Gould, Justice, as we who ever thought as he wrote, and in so writing illumed what was dark before.

He has passed from among us; sixty-one silver winters and as many golden summers have been his upon this earth. The recording angel that keeps the accounts of men, shall find upon the pages of the Book of Life, deeds, many of them of good fame, words, many that shall be golden prophecy in the future. And the years of sunshine and shadow passed by our deceased brother in life, shall be to him without stain or scar, guerdons of honour in that life of lives into which he had just passed. I see

in the future great good evermore resulting from his life. I see our law made more genuine and manlike, by recollections of him. I see his thoughts that have taken root in our minds growing into the perfect fruit and flower of friendship.

"But there is more than I can see,
And what I see I leave unsaid,
Nor speak it knowing death has made
His darkness beautiful with Thee."



ADDRESS

OF

MR. IRVING HAYNER.

ADDRESS OF MR. IRVING HAYNER.

Since my brief connection with the bar of Rensselaer county, occasions of this kind have been frequent. Link after link has been stricken from the chain of legal brotherhood. Old and young have fallen from the circle; old and young have mingled their tears together.

In the death of Judge Gould the young men of this bar have sustained a great loss; the loss of his friendship, the loss of his example. He was the friend of young men; ever cordial in his greetings, ever patient to listen, ever ready to advise. His was the friendship that cheered, encouraged, ennobled. His was the friendship that came from the heart.

His life has been an example of what industry, perseverance and integrity may accomplish. Throughout this great state his name is known and his loss is felt. Throughout this great city, with whose prosperity and enterprise his name is linked, there is sorrow to-day.

In public life: far-seeing, public-spirited, unselfish. In professional life: the safe counsellor, the upright judge. In private life: the loving husband and father, the warm friend, the refined and dignified Christian gentleman. What a noble record to leave behind! what a worthy example to imitate!

Judge Gould is dead. His journey of three-score years is ended. The grave will soon close over him. These streets and public institutions will know him no more forever. But he has not lived in vain. The world is the better for his having lived in it. The new life-blood of progress and influence that he has infused into the world's great heart will continue to beat on forever through the arteries of time.

ADDRESS

OF

JUDGE INGALLS.

ADDRESS OF JUDGE INGALLS.

GENTLEMEN OF THE BAR: In putting these resolutions I cannot say — I would not say less, and I certainly cannot say more than to cordially endorse with you the sense and spirit of the resolutions which have been offered, and the addresses to which I have listened. The occasion is certainly one of mournful interest to us all. It is a valuable occasion. It is a time-honored custom which we should always observe. It brings us together; it stays us for a moment, at least, in the hurry and excitement and din of life. We stop that moment to think of the future. We are impressed with the solemnity of living, and oh! my brethren, we are impressed with the awful solemnity of dying and the future. While we pay this tribute of respect to the deceased, we do justice to the best and noblest and purest feeling of our nature. In nine short years I have had the pleasure to be associated with this bar in all their kindly intercourse. I look around this body and I find at least fourteen members that have gone. Men of position; men who

have been leaders of our bar; young men; men of bright promise. They have gone and have entered upon the scenes of the future. And let us all then improve occasions of this character, and while we drop the tear of sympathy for the departed, let us prepare to meet that doom which will so soon meet every one of us.

All in favor of the adoption of the resolutions to which you have listened will so signify it.

The resolutions were then unanimously adopted.

The meeting then adjourned to reassemble at 2½ o'clock to attend the funeral of the deceased from St. Paul's Church.

TRIBUTE

OF

DR. E. N. POTTER.

TRIBUTE OF DR. E. N. POTTER.

THE LEHIGH UNIVERSITY,
Oct. 15th, 1870.

MY DEAR MRS. GOULD:

In returning the precious memorials and letters which you have submitted to me, let me confess that I have been perplexed not only by the demands of other duties, but by my conscious inability to do justice to the theme, upon which you requested me to write.

I remember Judge Gould's distinguished presence, although meeting him only once to know him. The interview lasted but for a moment, yet I cannot forget the face, the form, the polished manner, the cordial greeting so peculiarly his own.

Those who knew him intimately speak of him, as eminent not only as a scholar and a jurist, but in social and in civil life, as conspicuous for acts of philanthropy and of public spirit.

My father, who knew him and esteemed him, could have spoken adequately, where from my limited

knowledge, if from no other inability, I can speak but thus imperfectly and briefly.

You ask me to collect such facts as may be on record of a religious nature, and more especially such as may relate to the connection subsisting between your lamented husband and the church.

I learn from those familiar with the past history of the church in Litchfield (Conn.), that although the parents of Judge Gould were both of them Presbyterians, his interest in our church was manifested in early years, and that he was a frequent attendant upon its services.

The preference for its Liturgy, of which he was accustomed to speak, led naturally to his connection with St. Paul's, the mother church in the city of Troy.

I am informed that for many years, and until his engagements forced him to decline serving longer, he was an influential member of the Convention of the Diocese, and was one of an important committee, to whom was encharged the duty of deciding between three candidates, proposed for the episcopal office, at a critical juncture.

The rectors of St. Paul's who have been associated with him, as well as the assistant ministers and officers of the church, speak with gratitude of his cordiality, and of his interest in its affairs. You will doubtless

receive the personal reminiscences of those who have ministered at St. Paul's in former days, and who never have ceased to regard your husband with affectionate admiration.

The editorials, resolutions, and other documents, expressing esteem and sympathy, of which so many have reached you, evince unusual discrimination and sincerity.

Judge Gould's scholarship, and his interest in all matters pertaining to literature and education, brought him in contact with congenial minds beyond the pale of his own profession; and the bishops of our church who have visited Troy, add to the testimony of the local clergy of various denominations, their recollections of his attainments, and of his information upon ecclesiastical topics.

The illness of Judge Gould, though considered serious by its sudden and fatal termination, shocked as much as surprised, and grieved the public and his friends. Among the poor there are those, who yet lament the loss of one, unostentatious, but self-sacrificing in his charity.

Among acquaintances were those who had but lately met him, yet who looked forward to long years of growing intimacy. In a letter dated from Yale College in which the impression of a distinguished

scholar is recorded, a friend writes, "We could not at first bring the event to our minds as a reality. We had seen him so lately in the vigour of health, and strength and intellectual culture, with a commanding presence of rare nobleness, that it was almost impossible to believe that all this had passed away from earth. We had hoped that our acquaintance with Judge Gould so pleasantly commenced would continue and ripen into a life-long friendship."

Among many letters of condolence, which it has been my privilege to peruse, I cannot but refer to one written by a near relative, to acknowledge the instruction which she received from Judge Gould in the study of the Bible. Opening with words of sympathy, the letter proceeds as follows: "There are few that understood the Bible more thoroughly than the departed one, and I can look back and recall many conversations in which he helped me, in my researches after the truth, removing doubts, and strengthening my feeble faith. I have no doubt but that he saw with the eye of faith that Christ died for him, and that in Him only is our salvation."

But preeminently, your husband's worth was known within his home. One who was acquainted with his domestic traits, writes: "Others may know the public worth of the departed, may admire his virtues and de-

plore his loss, but only those who have known him in the intimate relations of home as husband and father, and have learned to appreciate the true, the pure, the loving heart, can even begin to estimate the loss you have sustained. His worth is a precious inheritance to you and your children, and I have no doubt that his example and his works will be a savor of good to the community to the end of time."

Coinciding in tone with this thoughtful estimate, is the letter of a clergyman who knew Judge Gould in the latter part of his life intimately, and who writes to condole with your family in words of profound sympathy and affection: "Doubtless your blessed master himself has spoken to your believing heart, and has assured your humble faith, that one we love is not 'dead but sleepeth,' that he rests but to awaken in His likeness in whom he trusted, and that in a brighter morning than shall ever breathe upon the dreariness of earth, you shall rejoice together before the throne of our Father, whose ways of providential dealing we cannot understand now, but we shall know them. Children could have no richer inheritance in this life, than the remembrance of such a parent. There was so much of purity, so much of loveliness, so much of Nathaniel's guilelessness in the character of your dear husband that I treasure his memory with

hallowed recollections, so genial in his intercourse with me, so full of frankness, and so true a friend that I knew not how well I loved him 'till I miss him from my onward road.'"

"God's unseen angel o'er our pathway crossed, looked on us all, and loving him the most, straightway relieved him from life's weary load." Other letters, some written when the bereavement was recent, and some of later date express the same appreciative sympathy.

Although as one whose pastoral relationship with your family is but of recent date, I may not intrude admonition, nor extended expressions of sympathy. You will permit me to join with you all in the heartfelt prayer, that God the Holy Ghost may bring out of your bereavement not only comfort, but enduring profit and blessing.

In ministries of enlightenment to the ignorant and of charity to the destitute, your life will maintain its sympathy with the husband and father, who true to domestic duty yet remembered "the widow and the fatherless in their affliction." To you it must be a source of peculiar comfort to find inserted in a formal legal document his high estimate of your own devotion, concluding with the words "being well assured that the rights and interests of our children are entirely safe in her hands."

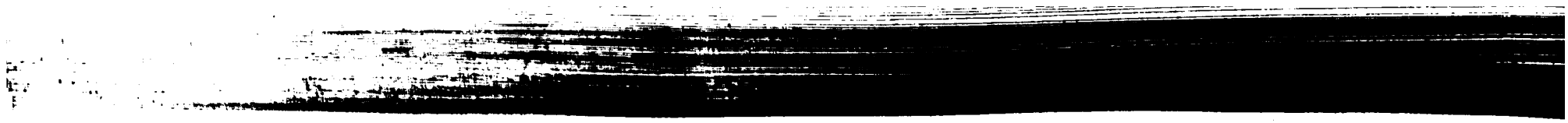
You will realize no doubt at times, the almost presence of one absent but ever remembered, and your experience will give renewed assent to the thought (expressed in language slightly varied) of those heart-deep lines from the lips of the world's poet:

"The idea of his life shall sweetly creep
Into your study of imagination;
And every lovely organ of his life
Shall come apparelled in more precious habit;
More moving, delicate and full of life,
Into the eye and prospect of your soul,
Than when he lived indeed."

Very faithfully yours,

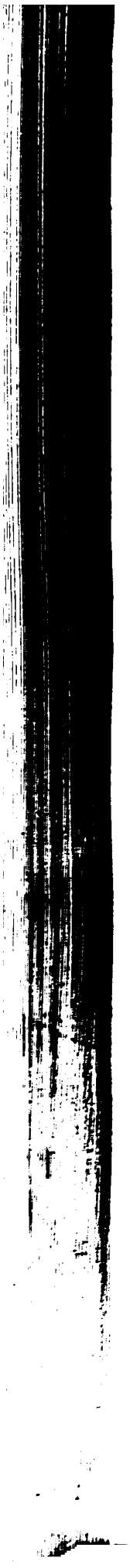
E. N. POTTER.

Mrs. Judge Gould.



IRVING CLUB

RESOLUTIONS.



IRVING CLUB RESOLUTIONS.

Rooms of the Irving Club,
TROY, *December* 28, 1868.

Minutes.

The committee appointed to prepare resolutions relative to the death of Hon. George Gould, late an honourary member of the Irving Club, respectfully report as follows:

In the death of Hon. George Gould this club has lost from its list of honourary members the name of one who manifested a deep interest in our welfare, and conferred a high honour by his association.

The profession of which he was a member laments a safe counsellor and an eminent jurist, whose natural abilities, strengthened and enlarged by his industry and experience, had justly won for him a place in the foremost ranks, and a reputation that was national.

The various scientific, business and monetary institutions with which he was connected cannot but be

seriously affected by the loss of his keen business tact and thorough knowledge of human nature, which contributed so largely to their success.

The community has been called to mourn the departure of a courteous acquaintance, a kind neighbor, a good citizen, a genial friend and a zealous patriot.

Above all, his bereaved family are plunged into grief and affliction which cannot be measured by sympathetic friends or exposed to the outside world, for theirs is the loss of a husband and father.

While we now mourn his departure in common with society at large, his profession and the associations with which he was connected, we extend to his sorrow-stricken family our sympathies, and venture to hope that each of its members may find solace in this their hour of trial, in the consolations of that religion which was professed by him in his life, and was his support in the hour of his death.

PROCEEDINGS

OF THE

RENSSELAER POLYTECHNIC

INSTITUTE.

PROCEEDINGS OF THE POLYTECHNIC INSTITUTE.

At a meeting of the Board of Trustees of the Rensselaer Polytechnic Institute, held at the Mayor's office, December 8, 1868.

Hon. Miles Beach was elected President *pro tem.*

On motion, the chair appointed a committee consisting of Mr. Forsyth, Mr. Thayer, and Mr. Gilbert, to prepare resolutions expressive of the feelings of this Board on the death of the Hon. George Gould, Vice President and since the recent death of Dr. Brinsmade, its acting President.

The Committee through its Chairman, Mr. Forsyth, presented the following, which on motion was accepted and adopted:

The Board of Trustees of the Rensselaer Polytechnic Institute have learned with deep sorrow of the death on the 6th instant of the Hon. George Gould at his home in this city, one of the oldest members, and the presiding officer of this body, and in preparing a minute of the mournful event to be entered on its

records, the Board desires to testify its respect for one of the most zealous and steadfast friends of this institution, as well as to the character of our late associate as a scholar and patron of learning, and to unite its voice with the public estimate of him as an eminent citizen, lawyer, and judge.

In these repeated instances of mortality among its highest officers which this Board within a brief period have been called upon to mourn, we are made deeply sensible of the shortness and uncertainty of human life, and the transitory nature of all the objects of human ambition.

In memory of our departed friend and associate, and tendering our sympathy to the domestic circle bereft of a husband, father and brother.

Resolved: That the Secretary be directed to furnish a copy of the foregoing minute to the family of the deceased—and that the Board will attend the funeral in a body, and wear the usual badge of mourning.

Adjourned.

W. GURLEY,
Secretary.

OBITUARY NOTICES.

[*From the Troy Daily Times, Dec.* 7, 1868].

This community were painfully shocked yesterday morning by the intelligence, rapidly passed from mouth to mouth, of the death of our eminent and respected fellow citizen, Hon. George Gould, ex-mayor of Troy, and former justice of the Supreme Court of the Third Judicial District. The afflicting event occurred at about eight o'clock yesterday morning, at his residence in Park Place, and if not wholly unexpected by his immediate family and relatives, was so at least to the general public, who had scarcely heard of his illness. His disease was an aggravated form of dyspepsia, terminating in a malignant affection of some of the organs of the stomach and liver, which prevented the assimilation of his food. Death ensued from utter prostration of the vital powers. He died without a pang or struggle, and in full possession of his mental faculties. His illness extended over a period of about three months, six weeks of which he was confined to his house, and to his room about one week.

Judge Gould was the son of James Gould, an eminent jurist of Connecticut who was for many years a Justice of the Supreme Court of that state, and was born at Litchfield in 1807. He was therefore upwards of sixty-one years of age at the time of his death. He graduated at Yale College in 1827, when only twenty years of age, and thereupon pursued the study of the law in his father's office until his admission to the bar, three years subsequently, when he removed to Troy and entered upon the practice of his profession. He first entered the law office of Hon. John D. Dickinson, where he remained about a year. Upon the death of Mr. Dickinson he was appointed executor of his will, with special powers as to the management of the estate, and for many years performed the duties of his trust with great prudence and integrity, and with advantage to the heirs. His first law partner was the late Hon. George R. Davis. Subsequently he was associated with Hon. Henry Z. Hayner and Hon. Job S. Olin. A fair measure of success attended his efforts from the first, and for many years past he has stood among the foremost members of the Rensselaer county bar. In early life his tastes were divided between the dry details of the law and the sweet delights of literature, and he was one of the original founders and warmest supporters of the Young Men's Association. He was

fourth President of the Association in 1838, and for many years was one of its board of officers. His well known abilities and literary tastes frequently commended him to the discriminating choice of his fellow-citizens in the delivery of addresses on special public occasions, and we well remember the eloquent, beautiful and appropriate speech which he delivered on the occasion of Gen. Wool's return from Mexico, constituting in its entirety one of the most graceful utterances which, prepared by his pen, ever fell from mortal lips. His address of a more recent date upon the occasion of the presentation of a flag to the Second regiment under Col. (now General) Carr by the ladies of Troy, as it was about to take its departure for the field of strife in the war for the suppression of the rebellion, was also a model rhetorical effort, and abounded in such references to classic story and early American history as stirred the patriotism and martial ardor of every one of the thousands who listened to it.

The first public office which the deceased was called upon to fill was that of Mayor of Troy, to which position he was elected by his party, the Whigs, in 1852. He held the office only one term, but quite long enough to stamp upon the city the impress of his enterprise and far-seeing sagacity and prudence. During his administration the first reform in our fire department,

now grown and perfected into a model organization, was inaugurated. The Oakwood avenue—giving the city another inlet for the traffic and trade of the surrounding country—was opened, principally through Judge Gould's personal exertions. The expense involved an outlay of some $20,000. This sum in those days was deemed quite enough to impoverish the city, and many opposed the improvement upon the ground of its cost. But Judge Gould looked ahead—he comprehended something of our wants in the future—and he gave his great personal and official influence strongly in aid of the enterprise. It was during his administration also that measures were taken for the consolidation of the routes of all railroads entering the city, by which the Troy Union railroad was established and the Union depot, one of the most extensive buildings of the kind in the country, which is the admiration of all travelers, was erected in the heart of the city. Of this enterprise Judge Gould was a warm friend, and the public will never know how well he guarded the city's interests while at the same time he gave to the railroad company all the license which could safely be granted to insure the construction of a Union railroad track through the least objectionable portion of our city. Another important service rendered the community by the then mayor was in arousing the public sense to the

injustice and inequality of the system of "equalizing" taxation between the city and country towns adopted by the Board of Supervisors, and which subsequently resulted in a more equitable division of the public burthens. Mayor Gould was a most excellent presiding officer, thoroughly versed in parliamentary rules, and withdrew from office with the consciousness of having faithfully discharged his duty, while he bore with him into retirement the respect and confidence of his fellow citizens.

In 1855, Mr. Gould received the nomination for Justice of this Judicial district from the American party, though we believe he was never fully identified with that organization. His competitors were Judge Parker, democrat, and Ambrose L. Jordan, republican. Mr. Gould was elected by a majority of 99 over both his opponents, and by 1838 votes over Judge Parker. He served upon the bench the full term of eight years, retiring in December, 1863, with the reputation of an able jurist, and bearing the respect of his professional associates, the bar and the public at large. Retiring from the bench, as previously, Judge G. devoted himself to the practice of his profession, and though he rarely appeared in our local courts, he had quite an extensive practice in the Court of Appeals and a very large and lucrative office business. Though never a

brilliant advocate, he was esteemed a lawyer of uncommon ability and excellence. His opinions were sought for and respected by his professional brethren, and his careful training under the eye of his father gave to his intellect a breadth and comprehension that enabled him to grapple with the most abstruse questions of law as well as intricate matters of fact. His knowledge of law was methodical, accurate and profound. He had a sharp, incisive mind quick to perceive the points at issue, and in some respects he was one of the best Judges that ever sat upon the bench in this district. Few men equalled him in the despatch of business; and his hurried manner of saying to a procrastinating counsel conducting the examination of a witness, "Well, sir, go on!" as well as his frequent custom of anticipating points and deciding them before the counsel had fairly stated them to the court, made him somewhat unpopular with the bar during his judgeship, though such was the geniality of his nature and the frankness of his manner that the feelings thus awakened were ephemeral, and always passed away with the occasion that aroused them.

In November, 1840, he married a daughter of our venerable townsman, Hon. George Vail, and with her enjoyed a measure of domestic happiness rarely accorded to any man. His wife survives him, and two

sons and three daughters unite with her in mourning the loss of a devoted and exemplary husband, and a kind, indulgent father. The sympathy of this entire community is extended to them in this hour of their great grief, as also to the aged father-in-law, who though the elder of the deceased by more than a score of years, lives to share the sorrow which has touched his household anew.

In addition to the public offices which Judge Gould held, various other trusts of a semi-public character were reposed in him by corporations and societies. He was for many years a Director of the old Farmers' Bank of Troy, and at the time of his death was a Director of the Merchants and Mechanics' National Bank and of the Troy Savings Bank. Some months since he was chosen Vice President of the Rensselaer Polytechnic Institute, having previously been a member of the Board of Trustees for many years, and on the death of the late Dr. Thos. C. Brinsmade became the acting president of the institution. He was for a long time Treasurer of the Troy and Boston Railroad Company, and for several years a delegate to the Diocesan Convention of the Protestant Episcopal church. Politically, Judge Gould was born and educated a Whig. During the brief reign of the American party, upon the decease of the Whig party, he doubtless acted for

a time with that organization; but shortly after the formation of the Republican party he entered its ranks, and thenceforth was an active, earnest, thorough Republican. During the war there was not a more devoted loyalist in all the land. Every measure adopted by the government for the suppression of the rebellion met his unqualified and hearty support. He was a patriot in every sense of the word.

We have already said that Judge Gould was graduated at Yale College in 1827. Some of his classmates, like himself, have attained great distinction; among them we may mention his own colleague on the bench of this district, Hon. Henry Hogeboom, one of the most profound lawyers and able jurists in the land; Rev. Dr. Wm. Adams of New York; Rev. Dr. Horace Bushnell; Judge Henry E. Pierrepont, and N. P. Willis, the poet.

Judge Gould was no common man. Whatever he was called upon to do, he did with all his might. In private life his character was pure and spotless. No better citizen—no more generous man—ever lived in this community. He gave largely from his means to the support of worthy charitable objects. In person he was scrupulously neat, and his manners were, while cordial and unostentatious, dignified and gentlemanly. His writings were models of purity and elegance. He

had no personal vices; he did not chew nor smoke. In the midst of the most engrossing cares, he found time to personally overlook the education of his children. As a parent, a citizen, magistrate, a Christian, he united all the qualities which ennoble and dignify man. In his death Troy has suffered an irreparable loss. Our city has many worthy men left, but none worthier than the one whom God took yesterday to Himself.

[*From the Troy Daily Press, Dec.* 7, 1868.]

DEATH OF HON. GEORGE GOULD.

Our city was thrown into the deepest distress yesterday morning by the sad intelligence that this distinguished gentleman, in the fullness of his strength and usefulness, had been summoned before his Maker, and that we should behold him no more among the living.

We have known Judge Gould from our boyhood, and as we write, the sadly-sweet memories of his many acts of kindness and courtesy, crowd thick upon us and overpower our pen. Would to God we had been spared the writing of these lines! Can it be that we shall never see that handsome, kindly face again, nor listen to his pleasant and instructive conversation! Alas, it is too true! Friend after friend drops in and, with sober brow, announces the painful news, "Judge Gould is dead!"

The subject of this memorial, was the son of that eminent jurist, James Gould, LL.D., and born at Litchfield, Conn., on the 2d day of September, 1807,

and graduated with distinguished honors at the grand old College of Yale in the year 1827. At this time his father's celebrated Law School at Litchfield was at the height of its fame, and therein young Gould, ever ambitious to excel, mastered the rudiments of the law, and acquired that thorough knowledge of its principles and bearings, which was afterwards to reflect so much luster upon his character as a jurist, while adorning the bench of our own state, and which enabled him with so easy a grace to decide on the instant the most vexed questions of law, however complicated by the antagonistic views of ingenious and persistent counsel.

In 1829, then in the 23d year of his age, George Gould came to the city of Troy to practice his profession, and formed his first law partnership with the genial and talented late Hon. George R. Davis. Judge Gould continued in an active and successful practice down to the year 1855, when he was elected a Justice of the Supreme Court for the State of New York.

Intermediate this event and the year in which he first took up his residence in our city, great changes had taken place in the social, professional and political life of our lamented friend. He had married the accomplished daughter of the Hon. George Vail, of Troy; had risen, by his industry and great natural

abilities, to the front rank in his profession; and our citizens had given him proof of their esteem and confidence by electing him to the Mayoralty of the city in 1852. He was for a long period a director in the old Farmers' Bank of Troy, and treasurer and legal adviser of the Troy and Boston R. R. Co.; he was also for many years annually chosen as a delegate to the Diocesan Convention of the Protestant Episcopal Church; and at the time of his decease was a director in the Merchants and Mechanics' National Bank, of Troy, and also in the Troy Savings Bank; Vice President, and, since the death of Dr. Brinsmade, acting President of the Rensselaer Polytechnic Institute, that has so long furnished America and Europe with their most scientific engineers.

As a politician, Judge Gould was a prominent leader of the old Whig party, and clung to the faith till that once powerful organization went down to the grave with its dauntless old Champion, brave "Harry of the West."

When the deceased was elevated to the Bench of our State in 1855 as before stated, he was an active member of the American party, to which he was indebted for his nomination; but that party, strong as it then was, could not claim all the praise of placing this distinguished man in a position of so much usefulness,

and where he won perhaps, his brightest and most enduring laurels; for Judge Gould had very many strong personal friends outside of the political organization to which he had sworn allegiance, who gladly gave him their suffrage, well knowing how worthy and competent he was to discharge the duties of the office in a manner that should redound to his honour and theirs. Nor did he disappoint them, as we shall attempt to show by and by.

When the American party met the fate of all earthly things, many a politician cried out, like the great Senator of Massachusetts, on a similar occasion, "Where shall I go?" There was room enough for all in the ranks of the Democratic and the Republican party, and Judge Gould cast his fortunes with the latter; but he never subscribed to the Radical doctrines of that party. All will remember, when, at the tinkling of Seward's little bell, the Constitution was violated, private rights were trampled upon, and men torn from the embrace of their families, and thrown into prison without even the forms of law, and never knowing with what offence they had been charged, how indignantly Judge Gould, then on the bench of the Court of Appeals, denounced those outrages in his noble letter to the late President Lincoln. This letter was published by nearly every Democratic and Con-

servative journal in the United States, and elicited their warmest commendations for its pure patriotism, it elevated sentiments, its clear logical reasoning, and its manly scorn of lawless Radicalism, drunk with excess of power.

As a judicial officer, Judge Gould has had few superiors. To the discharge of his duties he brought a mature judgment, a ripe scholarship, a thorough knowledge of law, and a quick application of its principles. Clear in his charge to the jury, prompt in his rulings, he often astonished the bar by the suddenness in which he would reach and announce a conclusion that an ordinary mind could arrive at, only by slow and laborious reasoning.

The members of the Bar have treasured up many anecdotes of the Judge, illustrative of his character The following one may suffice. It shows how readily the judicial breath would puff away the chaff and lay bare the wheat. He scorned all subterfuge, and sprang right at the naked truth — but to our anecdote:

A few years ago, while the Judge was holding court in the city of New York, a prisoner was being tried before him for willful murder, in causing the death of a man by a pistol shot. An eminent physician and surgeon was on the stand as a witness for the defence. The prisoner's counsel, an adroit lawyer attempted,

to show that the man, who lived some little time after being shot, might have died from some other cause, and examined his witness after this style: "Doctor, would not such and such a thing cause death?" "Oh, yes, sir." "Well, doctor, might not this man have died from such and such causes?" "Oh, yes, he might." And then the witness went on at some length, describing what might have caused the man's death. "That is quite sufficient for us," exclaimed the defendant's counsel, with an air of triumph, twirling his eyeglass, as the witness closed his elaborate explanation of the workings of the human system. Judge Gould turned on his seat, bent his large, keen, penetrating black eye full on the witness, and said, a little sharply: "Doctor, you have told us, in a very learned manner, what *might* have caused this man's death; now will you be so kind as to tell me what *did* cause his death?" "*The bullet, sir*," answered the witness. This ended the case.

Judge Gould, while on the Bench, was very industrious; he shrank from no duty, and the labour he performed was immense. Industry was habitual with him. We have seen two sets of his father's Lectures on Law, each set bound in six thick quarto volumes of manuscript and all in the neat, elegant chirography of the Judge, without blot or erasure. This is perfectly wonderful.

How he found time to perform the herculean task is a mystery, to us, at least. It must have been done while a student at his father's Law School.

Judge Gould was thoroughly versed in miscellaneous literature, well acquainted with the ancient classics, and devoted much time to the mental luxury of his library. He loved poetry, and would read it with the most pleasing elocution. He took much interest in Literary Institutions; was one of the original members, and among the first of the Presidents of the Young Men's Association of our city. In 1860 the deceased conferred a lasting favour upon the bar of this state by editing and adapting to the Code of Procedure, his father's celebrated "Treatise on the Principles of Pleading." This was an undertaking of no ordinary labor, as the copious and well considered notes of the learned editor can testify; but it must have been a labour of love, to a man justly proud of his father's fame, and with the warm feelings that always stirred the bosom of Judge Gould. How it must have brought back the visions of his youth and early manhood, to prepare those pages for the press, the contents of which he had heard delivered from the lips of his father, nearly forty years before!

In his younger days, Judge Gould's personal appearance was exceedingly attractive. He was of medium

height, well built, strong and wiry. His eyes, large, dark, restless, and expressive. His hair was black, and curled gracefully around a finely developed brow, and a head of singular beauty. Time, with the cares and labours of three-score years, did not mar Nature's work but mellowed it to a ripe autumnal manhood.

In private and professional life, the deceased was kind, courteous, obliging; pleasant in discourse, social, and, at times playful, witty, and loved a joke immensely. He was very courtly in his demeanor while trying a case as counsel, and there was such a chivalrous courtesy in his bearing towards his opponent, that he might be appropriately termed the Sir Philip Sidney of the Bar. Well our gifted friend is gone! Oh! how we shall miss him! but our loss is undoubtedly his gain for he was ready and willing to die.

When his grief-stricken brother, Edward S. Gould, of New York, informed him that the physicians had given up all hope, he received the announcement as if it were the signal for him to "lie down to pleasant dreams."

And thus, in the full possession of his faculties, with perfect confidence in the Christian's hope, cheerfully and without pain, died George Gould, surrounded by those who loved him and who will cherish his memory. He expired on the 6th day of December, 1868, at his residence in this city, No. 3 Park Place, leaving a widow

and five children. The deceased was in his sixty-second year, but looked much younger. He had been complaining somewhat for two or three months past, but was too energetic and ambitious to give up business until he became seriously indisposed. He was confined to his house about six weeks, but only one week to his room. His disease was an aggravated form of dyspepsia, producing a malignant affection of the organs of the stomach, and finally a scirrhous state of the liver. How such a disease should fasten on a man so active and uniformly temperate in all his habits of life, is a mystery to medical science. No man ever led a more blameless life. But we must bring our imperfect sketch to a close. Never have we been called upon to discharge a more painful duty than that of announcing the death of this eminent and truly good man; and in thus attempting to portray a few of the most prominent features in his amiable character. Extending our sympathy to the bereaved family, we lay down our pen with the sorrowful reflection that we shall never more behold the pleasant smile of Judge Gould, nor return his cordial greetings.

[*From the College Courant (Yale), Dec.* 6, 1868, *by Prof. James M. Hoppin.*]

IN MEMORIAM.

JUDGE GOULD.

Judge George Gould, of Troy, N. Y., whose death was so recently announced, was a member of the class of 1827 — a class noted for its eminent names in every department of public life. His great ability as a lawyer and jurist, which reflected honour upon his college, descended rightly to him from his father, Judge Gould of Litchfield, the head of the once famous Connecticut Law School. He was early and deeply grounded in the principles of his profession, and through life showed this marked superiority to others who were less thoroughly trained. He was an enthusiast in his profession, and loved the study of its theory and literature, even better than its practice, notwithstanding his uncommon skill as an advocate.

As a judge, his opinions in various important cases are highly valued, and take rank with those of the best jurists of his state and of the land. In certain

instances which had relation to difficult points of real estate law, these decisions were definitive, and held to be as establishing the principles of law in those cases.

Possessing a profound legal education, and a keen penetrating mind, he acted with a prompt boldness that was often as surprising to his friends, as to those who opposed him, but time and calm reflection usually proved the wisdom of his judgment.

Many anecdotes are told of his shrewd, rapid insight into the real merits of the case before him, when on the bench. Among these we select the following which is related in one of the Troy papers: — A few years ago, while the judge was holding court in the city of New York, a prisoner was being tried before him for murder, in causing the death of a man by a pistol shot. An eminent physician and surgeon was on the stand as a witness for the defence. The prisoner's counsel, an adroit lawyer, attempted to show that the man, who lived some little time after being shot, might have died from some other cause, and examined his witness after this style: "Doctor, would not such and such a thing cause death?" "Oh, yes, sir." "Well, Doctor, might not this man have died from such and such a cause?" "Oh, yes, he might." And then he went on at some length, describing what might have caused the man's death. "That is quite

sufficient for us," exclaimed the defendant's counsel, with an air of triumph, as the witness closed his elaborate explanation of the workings of the human system. Judge Gould turned on his seat, bent his large, keen, penetrating black eye, full on the witness, and said, a little sharply: "Doctor, you have told us in a very learned manner, what *might* have caused this man's death; now will you be so kind as to tell us what *did* cause his death?" "*The bullet, sir,*" answered the witness. This ended the case.

Judge Gould was a man of wide reading and literary cultivation, — conversant with the best English authors in prose and verse; and he was not one of those who suffered his classical attainments to fall into disuse, but kept up his acquaintance especially with the Latin authors. He had great conversational powers, and was full of accurate historic knowledge, anecdote and playful wit. Although a man who took a prominent place in politics, and had great influence in the political world, he was above the politician's low arts. He was a sternly uncompromising patriot, and most active in these last trying and difficult times.

He was an accomplished gentleman of very courteous and polished manners, mingling something of the dignity of the old school with the genial freedom of a younger man; and, above all, he was a man of ele-

vated Christian principles, reverent in his spirit and catholic in his faith. He met death with calmness, and when he was gone, the singular beauty and nobleness of his character appeared in a new light to his townsmen, who heaped unexampled honours upon his memory. As a Yale alumnus, we would claim for his *alma mater* a share in those honours, and would number him among the bright stars that shine in her crown.

THE LATE JUDGE GOULD.

We copy from *The Churchman* of the 2d, an excellent obituary notice of the late Judge Gould, written by Rev. E. D. Cooper.

It is but another expression of the deservedly high estimation in which our distinguished townsman was held, and the general sorrow at his decease.

To the Editor of the The Churchman:

It is with painful emotions we beg leave to notice in your columns the death of Judge Gould, of Troy, N. Y., son of the eminent jurist of that name, late of Litchfield, Conn., and for many years a Justice of the Supreme Court of that state. The press of Troy have given most full expression to the public estimate and appreciation of the character of Judge Gould, yet it seems justly due that a tribute to his memory should also be offered through the press of his native state. Although for nearly forty years identified with the city of Troy, and state of New York, he always cherished his early love for Connecticut; and through all his life the tone of the New England mind was re-

markably prominent. In education, his decided admiration for the pure Saxon was a striking characteristic; always ignoring the modern taste for superficial literature.

He was a true Connecticut churchman, and tenacious of his rights and interests as connected with the Episcopal Church (with which he was so closely identified in his own parish, that of St. Paul's, and which he frequently represented in the Convention of the Diocese), this peculiarity of New England training may have led some to doubt his real love for the Church; and may, at the same time, have influenced *him* to question the position of those who held extreme or advanced positions in churchmanship. And those who knew him best can fully understand (in this Latitudinarian age) that there could be no resting place for such a mind *outside* of the church. And the writer of this article can well attest to his qualities of parent, citizen and Christian, as most truly consistent with the character of a true churchman. To the abilities which adorned the legal profession the members of the bar have fully testified. And to the fidelity and honour which graced his private life it can be truly said, "His citizenship is with God."

If a brief notice of this kind would allow us to narrate incidents, which like mile-stones marked his so-

journ, we doubt not there are those who would most lovingly speak of acts which only make the life of a public character more perfect, and his loss more deeply regretted. When the news of his death shall reach the snow-clad mountains of Vermont, we can, in fancy, hear a requiem, borne upon the cold December winds, speaking of the aid, the comfort, and the home that was provided (not many winters past) for a poor, suffering child by our noble-hearted friend, when upon a circuit in the county of Schoharie. Other incidents might be mentioned, but we know that your space is limited.

One who has been ever welcome in his hospitable home can never forget his kindly welcome, or cease to remember with gratitude him from whom many a pleasant thought was garnered for the storehouse of knowledge. With what exquisite taste he would examine a literary production :—with what an exact and kindly hand would he touch and improve it; loving to cultivate literature and learning himself, and delighted to cherish and promote its culture in others.

It would be a most pleasing task to speak more fully of this public and private friend, "whose beautiful smile" we shall never see again in this world. But we leave it to another chronicle the life and character of this pure and just man.

We leave it to a chronicler of his own profession who has tried the rigor of the path of his ascent; who knows the "by-paths and foot-paths" which surrounded him on every hand, and can thus the better appreciate the efficacy of that resolve, which makes "man manliest," and which shone so strongly in Judge Gould's character; which bore him through a long career successfully; and which, blended with the mild, the pure and potent light of Christianity, gilded the sunset of his life. As the year eighteen hundred and sixty-eight was closing, he passed calmly away, "Like one who wraps the drapery of his couch about him, and lies down to pleasant dreams."

[*From the Church Journal, Jan.* 20, 1869.]

THE HON. GEORGE GOULD.

DIED.— in Troy, N. Y., Sunday morning, Dec. 6th, the Hon. George Gould, aged 61 years.

It is not often that the presence of "the dread messenger" brings so extended and deep a sorrow — there are ever aching hearts, and tears of bitterness, but it is a household grief, a family bereavement. In the death of this great and good man a city mourns, and throughout our land there are many whose tribute of loving respect will be accompanied with the tear of sadness.

Judge Gould, the son of the eminent Jurist of Connecticut, was born at Litchfield in that state, Sept. 2d, 1807; long a resident of Troy, he has held many of the most prominent positions within the gift of admiring fellow citizens; distinguished for his vast legal acquirements and mental sagacity, he was chosen in the year 1855 as Justice of the Supreme Court of the Third Judicial District, in which honourable office he served for a full term of eight years. Quick of appre-

hension and prompt in decision, he won for himself a reputation which can be shared by few of the eminent men who have sat on the bench in this state since the adoption of the Constitution in 1846. But to know this most accomplished and elegant scholar, and fully to appreciate his true character, he must have been known in his own home — in that charmed circle where the purity and loveliness of his life was more perfectly exhibited, and where the wonderfully genial characteristics of the father and the friend could alone be perfectly known. From childhood he had been trained in the holy ways of the Church, and he loved to talk of the incomparable beauty of her liturgy, and the marvelous arrangement of her system of Christian believing and Christian living: humble and reverent in his mention of sacred things, he inspired every one with whom he conversed, with the same spirit, and quickened new life in those who had read our service for the worship of Almighty God, with no adequate appreciation of his power.

The blessed Master called him suddenly; a few weeks of weary confinement upon a sick bed, and the last came. When told that "the Master cometh and calleth for thee," he received the announcement that he was to leave this world, with perfect composure and entire resignation to his heavenly Father's wish. Ex-

periencing a peace the world knows not of, without any physical suffering, as filial love poured itself forth in the words of the commendatory prayer, he fell

> " Asleep in Jesus, blessed sleep,
> From which none ever wakes to weep."

His memory will long be fragrant and precious. The sweet music of his gentle voice, the lovely tender smile, that ever made the welcome to his home the sweetest of cordials, will not soon be forgotten by those who have been blessed with his friendship and love.

"God's unseen angel, o'er our pathway crossed, looked on us all, and loving him the most, straightway relieved him from life's weary load." G. W.

St. John's Rectory, Detroit, Mich.

[*From the British and American News.*]

DEATH OF HON. GEORGE GOULD.

Our city was thrown into the deepest distress on the morning of the 6th inst., by the sad intelligence that this distinguished gentleman, in the fullness of his strength and usefulness, had been summoned before his Maker, and that we should behold him no more among the living. The deceased was in his sixty-second year, but looked much younger.

In 1829, then in the twenty-third year of his age, George Gould came to the city of Troy to practise his profession, and formed his first law partnership with the genial and talented late Hon. George R. Davis. Judge Gould continued in an active and successful practice down to the year 1855, when he was elected a Justice of the Supreme Court for the state of New York.

Intermediate this event and the year in which he first took up his residence in our city, great changes had taken place in the social, professional, and political life of our lamented friend. He had married the accomplished daughter of the Hon. George Vail, of

Troy; had risen, by his industry and great natural abilities, to the front rank in his profession: and our citizens had given him proof of their esteem and confidence by electing him to the Mayoralty of the city in 1852. He was for a long period a director in the old Farmers' Bank of Troy and treasurer and legal adviser of the Boston R. R. Co.; he was also for many years annually chosen as a delegate to to the Diocesan Convention of the Protestant Episcopal Church; and at the time of his decease was a director in the Merchants and Mechanics' National Bank of Troy, and also in the Troy Savings Bank; Vice President, and, since the death of Dr. Brinsmade, acting President of the Rensselaer Polytechnic Institute, that has so long furnished America and Europe with their most scientific engineers.

The members of the bar have treasured up many anecdotes of the Judge, illustrative of his character. The following one may suffice. It shows how readily the judicial breath would puff away the chaff and lay bare the wheat. He scorned all subterfuge, and sprang right at the naked truth; but to our anecdote:

A few years ago, while the Judge was holding court in the city of New York, a prisoner was being tried before him for willful murder, in causing the death of a man by a pistol-shot. An eminent physician and

surgeon was on the stand as a witness for the defence. The prisoner's counsel, an adroit lawyer, attempted to show that the man, who lived some little time after being shot, might have died from some other cause, and examined his witness after this style: "Doctor, would not such and such a thing cause death?" "Oh, yes, sir." "Well, Doctor, might not this man have died from such and such causes?" "Oh, yes, he might." And then the witness went on at some length, describing what might have caused the man's death. "That is quite sufficient for us, exclaimed the defendant's counsel, with an air of triumph, twirling his eyeglass, as the witness closed his elaborate explanation of the workings of the human system. Judge Gould turned on his seat, bent his large, keen, penetrating black eye full on the witness, and said, a little sharply: "Doctor, you have now told us, in a very learned manner, what *might* have caused this man's death; now will you be so kind as to tell me what *did* cause his death?" "*The bullet, sir,*" answered the witness. This ended the case.

In the full possession of his faculties, with perfect confidence in the Christian's hope, cheerfully and without pain, died George Gould, surrounded by those who loved him and who will cherish his memory.— *Troy Daily Press*, Dec. 7, 1868.

[*From the Home Journal, Dec.* 23, 1868.]

On Sunday, December sixth, the Hon. George Gould, ex-mayor of Troy, and former Justice of the Supreme Court of the Third Judicial District, died at his residence in Troy, No. 3 Park place. Judge Gould was a son of Hon. James Gould, the eminent Connecticut jurist. He died at the ripe age of sixty-one, after a long, useful, and honorable career, as one of the most prominent and successful public men of Northern New York. The Troy papers speak of the deceased in terms of great respect and admiration, and we cannot better conclude this mention than with one or two extracts from their columns: "As a judicial officer, Judge Gould has had few superiors. To the discharge of his duties he brought a mature judgment, a ripe scholarship, a thorough knowledge of law, and a quick application of its principles. Clear in his charge to the jury, prompt in his rulings, he often astonished the bar by the suddenness with which he would reach and announce a conclusion that an ordinary mind could arrive at only by slow and laborious reasoning. Judge Gould

was graduated at Yale College in 1827. Some of his classmates, like himself, have attained great distinction, among whom we may mention his own colleague on the bench of this district, Hon. Henry Hogeboom, one of the most profound lawyers and able jurists in the land; Rev. Dr. William Adams, of New York; Rev. Dr. Horace Bushnell; Judge Henry E. Pierrepont, and N. P. Willis, the poet. Judge Gould was no common man. Whatever he was called upon to do, he did with all his heart. In private life his character was pure and spotless. No better citizen — no more generous man — ever lived in this community. He gave largely from his means to the support of worthy charitable objects. In person he was scrupulously neat, and his manners were, while cordial and unostentatious, dignified and gentlemanly. His writings were models of purity and eloquence. He had no personal vices; he did not chew nor smoke. In the midst of the most engrossing cares, he found time to personally overlook the education of his children. As a parent, a citizen, a Christian, he united all the qualities which ennoble and dignify man; and of him it is not too much say, "He has met with his reward."

[*From the Rutland Herald.*]

HON. GEORGE GOULD.

We call the attention of our readers to the excellent sketch of the Hon. George Gould, of Troy, N. Y., lately deceased. He was widely known in Western Vermont, and has often practiced in our courts. He had many friends in Vermont who were warmly attached to him, and ardent admirers of his talents, and who, with his fellow citizens of Troy, will mourn the loss of one so useful in life and who commanded such high respect from all classes of citizens.

[*From the Buffalo Commercial.*]

HON. GEORGE GOULD.

Died at Troy on Sunday last, after a lingering illness, aged sixty years. The deceased was well known in the eastern part of the state as a gentleman of great talent and professional acquirements, and for exalted purity of character. He was a graduate of Yale; studied law and was admitted to the bar in Troy; was a successful practitioner until 1855, holding the office of Mayor of that city from March, 1852, to March, 1853, and in 1855, was elected a Justice of the Supreme Court, a position which he held till 1863.

JET AND SILVER.

One is à lovely raven curl,
Given to me when a little girl;
The other, soft and silver white,
I took from his darling head to-night.

Ah! raven curl, what memories rise
Of a noble brow and hazel eyes;
Sweet eyes, that looked with tender pride,
Such loving things to a bonnie bride.

A laughing baby with eager glee,
Dancing and crowing on father's knee,
Pulls at his curls; oh, dear! what fun,
If the rosy hands catch hold of one.

Other babies as bright and fair
Have pulled, and played with, his curly hair;
Other children, whose hearts are sore,
Will long for the smile that comes no more!

Though the rolling years speed swiftly past,
And the raven curls grow gray at last,
And the blue-eyed baby has passed away,
A girl's hand plays 'mid the curls to-day.

Oh! silver curl, you're dearer to me
Than the raven hair can ever be;
From his snowy temple this lock was shred;
The others repose on his slumbering head.

The courtly greeting, the gentle smile,
Where the loving heart shone sweet the while—
Dear, tender heart, that the angels bore
In the quiet dawn to the golden shore—

Lips cannot utter nor language tell
What broken hearts are saying too well!
Only God knows of the anguish hid
With the silver curls 'neath that coffin lid!

When my earthly race is almost o'er,
When my tired feet near the heavenly shore,
I know I shall see those silver curls,
As my father's hand clasps his darling girl's!

In Memoriam.

Dec. 6th, 1868.

O God, whose days are without end, and whose mercies cannot be numbered; Make us, we beseech thee, deeply sensible of the shortness and uncertainty of human life; and let thy Holy Spirit lead us through this vale of misery, in holiness and righteousness, all the days of our lives: That, when we shall have served thee in our generation, we may be gathered unto our fathers, having the testimony of a good conscience; in the communion of the Catholic Church; in the confidence of a certain faith; in the comfort of a reasonable, religious, and holy hope; in favour with thee our God, and in perfect charity with the world. All which we ask through Jesus Christ our Lord. Amen.

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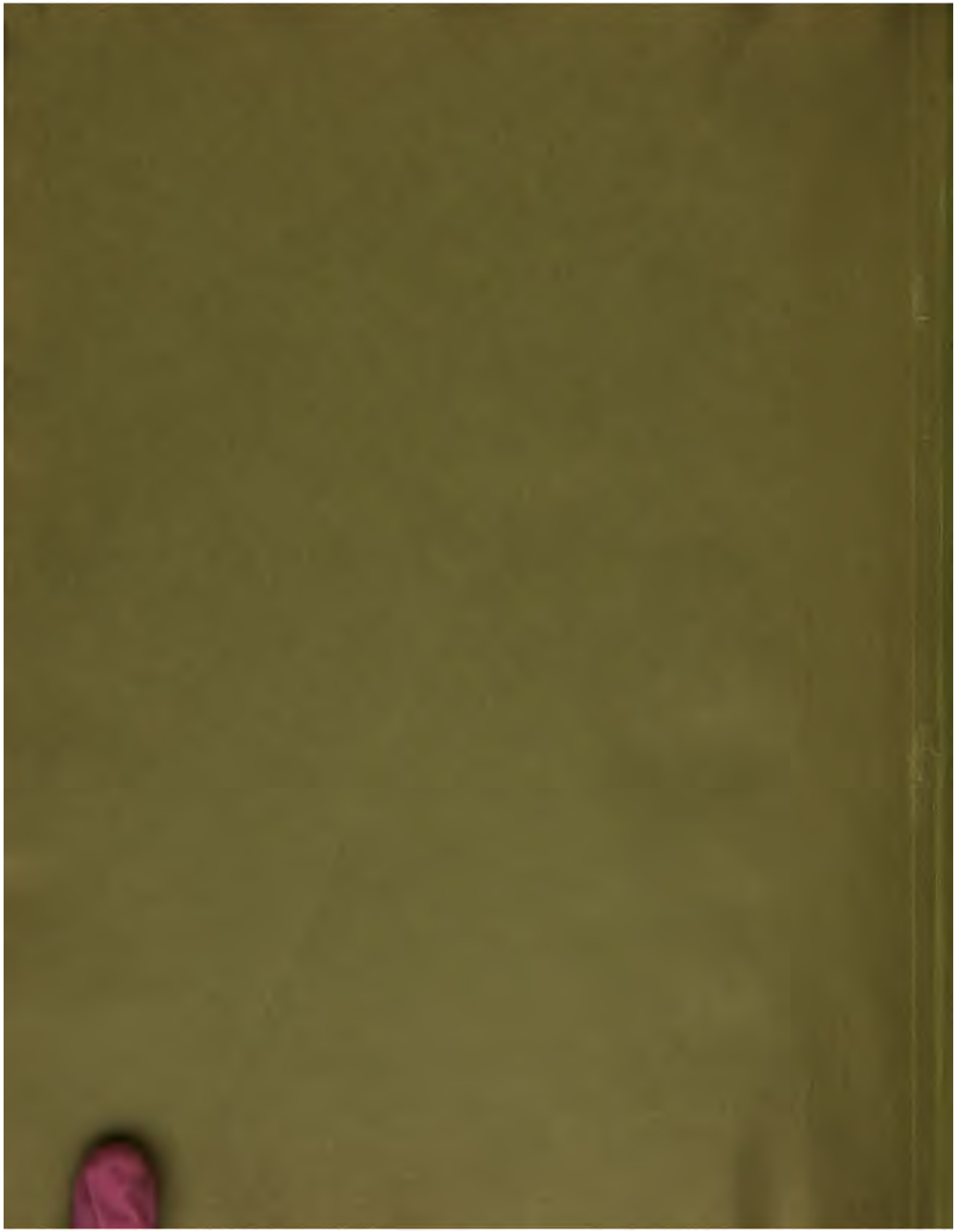

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